

(\$3600) per annum to forty-eight hundred dollars (\$4800) per annum; prescribing the method of payment, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, March 8, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 426, A bill to be entitled "An Act to provide for and regulate the method of taking or catching fish in the public fresh waters of Marion and Harrison counties, State of Texas; providing penalties for violation, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, March 8, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 619, A bill to be entitled "An Act amending Chapter 95 of the Special Laws of the Thirty-sixth Legislature by providing that the compensation of commissioners for inspecting public roads and bridges shall be \$5 per day instead of \$4 per day; that said compensation shall be paid out of the general fund of the county and that no commissioner shall receive pay for such inspection for more than seven days in any one month,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, March 8, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 636, A bill to be entitled "An Act to create Road District No. 7 in Shelby county, Texas; validating and approving all orders made by the commissioners court of said county in respect to the organization of said district; validating the authorization; issuance and sale of certain bonds thereof dated February 9, 1920, and numbered

forty-six to one hundred, inclusive, totaling twenty-seven thousand five hundred (\$27,500) dollars, of five hundred (\$500) dollars each; providing for their payment by the annual levy and assessment of general ad valorem taxes on all taxable property in said road district; approving and validating all orders of the commissioners court of said county in respect of said designated road district bonds and taxes or certified copies thereof and constituting such orders legal evidence; evidencing proof of publication of constitutional notice required in such acts, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

#### REPORT OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, March 9, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 320, "An Act to provide for a license for persons who shall fish with artificial lures of any kind in the waters of this State; to prescribe the license fees for such licenses and to provide for the issuance of said licenses by the Game, Fish and Oyster Commission, his deputies, county clerks or other legally authorized agents; and to provide for the payment of these officers for the issuance of said licenses, and to provide for the keeping of a record of the licenses issued, and to provide for the disposition of the funds from said licenses and to provide penalties for the failure of persons to procure a license to fish where the same are required and to define the term 'non-resident' as used in this act, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

#### THIRTY-SIXTH DAY.

(Thursday, March 10, 1927.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Bobbitt.

The roll was called and the following members were present:

Acker. Alexander.  
Albritton.

Barnett.	Merritt.
Barron.	Minor.
Bass.	Montgomery.
Bateman.	Morse.
Beck.	Moursund.
Bird.	Murphy.
Black.	Nabors.
Boggs.	Nicholson.
Bonham.	Olsen.
Boon.	Parish of Runnels.
Branch.	Parrish of Travis.
Brice.	Pavlica.
Brown.	Pearce.
Conway.	Petsch.
Cornwell.	Poage.
Cox.	Pope.
Cummings.	Porter.
Daniel.	Powell.
Davis.	Purl.
DeBerry.	Ramsey.
Denman.	Rawlins.
Dielmann.	Reagan.
Dunlap.	Renfro
Duvall.	of Angelina.
Enderby.	Renfro of Mills.
Eickenroht.	Rogers of Hays.
Farrar.	Rogers of Shelby.
Faulk.	Rowell.
Finlay.	Runge.
Fly.	Sanders.
Forbes.	Satterwhite.
Foster.	Shaver.
Fuchs.	Shearer.
Gibson.	Sheats.
Gilbert.	Shirley.
Graves.	Simmons.
Gray.	Sinks.
Hagaman.	Smith of Atascosa.
Hall.	Smith of El Paso.
Harding.	Smith of Nueces.
Harman.	Smith of Smith.
Hefley.	Smyth.
High.	Snelgrove.
Hogg.	Stell.
Holder.	Stevenson.
Holland.	Storey.
Hornaday.	Stout.
Jacks.	Sutton.
Johnson.	Swain.
Jones.	Taylor.
Kayton.	Teer.
Keeton.	Tillotson.
Kemble.	Turner.
Kennedy.	Van Zandt.
Kenyon.	Veatch.
Kincaid.	Waddell.
King of Hopkins.	Walker.
Kirby.	Wallace
Kirkland.	of Freestone.
Land.	Wallace of Panola.
Lipscomb.	Wallace of Smith.
Loftin.	Ware.
Long.	Wassell.
Loy.	Webb.
Masterson.	Wells.
McCombs.	Whitaker.
McGill.	Williams of Sabine.

Williams	Woodall.
of Travis.	Woodruff.
Williamson.	Young.

Absent—Excused.

Anderson.	Kinnear.
Gates.	McKean.
Justice.	Pool.
King of	
Throckmorton.	

A quorum was announced present.  
Prayer was offered by Rev. J. C. Mitchell, Chaplain.

## LEAVES OF ABSENCE GRANTED.

The following member was granted leave of absence on account of important business:

Mr. Justice for today, on motion of Mr. Barron.

The following members were granted leaves of absence on account of illness:

Mr. McKean for today, on motion of Mr. Rogers of Hays.

Mr. Kinnear for today and indefinitely, on motion of Mr. Nicholson.

Mr. Anderson for today, on motion of Mr. Dielmann.

Mr. Pool was granted leave of absence for today, on account of the death of his father, on motion of Mr. Powell.

## EMPLOYEE ANNOUNCED.

The Speaker announced the appointment of the following porter:

Robert Miller.

## COMMUNICATION FROM MRS. E. D. INGRUM.

The Speaker laid before the House and had read the following invitation:

Mrs. E. D. Ingram requests the honor of your presence at the marriage of her daughter, Margaret, to Mr. George Clark Kemble, on Saturday evening, the 19th of March, 1927, at 8 o'clock, Central Methodist Church, Fort Worth, Texas.

## SENATE BILL NO. 315 ON SECOND READING.

On motion of Mr. Webb, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading.

S. B. No. 315, A bill to be entitled "An Act to provide an additional salary of one thousand (\$1000.00) dollars each per annum to the members of the Railroad Commission of Texas to be paid out of the fund created under Article

6032 of the Revised Civil Statutes of the State of Texas, and one thousand (\$1000.00) dollars each per annum to be paid out of the fund created under Article 6000 of the Revised Civil Statutes of the State of Texas; providing for the payment in monthly installments of such increase; appropriating the sum of three thousand six hundred (\$3600) dollars proportionately from the two respective funds to cover the increase in salary for the remainder of the fiscal year ending August 31, 1927, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Woodruff moved the previous question on the passage of the bill to third reading and the main question was ordered.

Senate bill No. 315 was then passed to third reading.

#### SENATE BILL NO. 315 ON THIRD READING.

Mr. Webb moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 315 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Mr. Speaker.	Hefley.
Acker.	High.
Alexander.	Hogg.
Avis.	Holder.
Barron.	Holland.
Bass.	Hornaday.
Beck.	Jacks.
Black.	Johnson.
Boggs.	Jones.
Bonham.	Kayton.
Boon.	Kemble.
Branch.	Kenyon.
Brice.	King of Hopkins.
Cornwell.	Kirby.
Cummings.	Loy.
Daniel.	Masterson.
Davis.	McCombs.
Denman.	McGill.
Dunlap.	Minor.
Duvall.	Montgomery.
Enderby.	Morse.
Eickenroht.	Moursund.
Farrar.	Nabors.
Faulk.	Nicholson.
Fly.	Parish of Runnels.
Foster.	Pearce.
Gray.	Petsch.
Hagaman.	Poage.
Hall.	Pool.
Harding.	Pope.
Harman.	Porter.

Ramsey.	Swain.
Rawlins.	Taylor.
Renfro	Teer.
of Angelina.	Turner.
Rogers of Hays.	Van Zandt.
Rogers of Shelby.	Veatch.
Rowell.	Waddell.
Satterwhite.	Walker.
Shearer.	Wallace
Sheats.	of Freestone.
Shirley.	Wallace of Panola.
Simmons.	Ware.
Sinks.	Webb.
Smith of Atascosa.	Whitaker.
Smith of El Paso.	Williams
Smith of Nueces.	of Sabine.
Smith of Smith.	Williams
Smyth.	of Travis.
Snelgrove.	Williamson.
Storey.	Woodruff.
Stout.	Young.

Nays—24.

Albritton.	Land.
Barnett.	Lipscomb.
Bateman.	Long.
Bird.	Merritt.
DeBerry.	Murphy.
Finlay.	Olsen.
Forbes.	Pavlica.
Fuchs.	Renfro of Mills.
Gilbert.	Runge.
Kennedy.	Stell.
Kincaid.	Tillotson.
Kirkland.	Woodall.

Present—Not Voting.

Powell.

Absent.

Brown.	Parrish of Travis.
Conway.	Purl.
Cox.	Reagan.
Dielmann.	Sanders.
Gates.	Shaver.
Gibson.	Stevenson.
Graves.	Sutton.
Keeton.	Wassell.
Loftin.	Wells.

Absent—Excused.

Anderson.	Kinnear.
Justice.	McKean.
King of	
Throckmorton.	

The Speaker then laid Senate bill No. 315 before the House on its third reading and final passage.

The bill was read third time.

Mr. Alexander moved the previous question on the final passage of the bill, and the main question was ordered.

Senate bill No. 315 was then finally passed by the following vote:

## Yeas—104.

Mr. Speaker.	Moursund.
Acker.	Nabors.
Albritton.	Olsen.
Alexander.	Parish of Runnels.
Avis.	Parrish of Travis.
Barron.	Pearce.
Bass.	Petsch.
Beck.	Poage.
Boggs.	Pope.
Bonham.	Porter.
Boon.	Ramsey.
Branch.	Rawlins.
Brice.	Rogers of Hays.
Brown.	Rogers of Shelby.
Conway.	Rowell.
Cornwell.	Sanders.
Cummings.	Shaver.
Daniel.	Shearer.
Denman.	Sheats.
Dielmann.	Shirley.
Dunlap.	Simmons.
Enderby.	Sinks.
Farrar.	Smith of Atascosa.
Finlay.	Smith of El Paso.
Fly.	Smith of Nueces.
Foster.	Smith of Smith.
Graves.	Smyth.
Gray.	Snelgrove.
Hagaman.	Stell.
Harding.	Storey.
Harman.	Stout.
Hefley.	Swain.
High.	Taylor.
Holder.	Teer.
Holland.	Turner.
Hornaday.	Van Zandt.
Jacks.	Veatch.
Johnson.	Waddell.
Jones.	Wallace
Kayton.	of Freestone.
Kemble.	Wallace of Panola.
Kenyon.	Wallace of Smith.
Kincaid.	Ware.
King of Hopkins.	Webb.
Kirby.	Wells.
Loftin.	Whitaker.
Loy.	Williams
Masterson.	of Sabine.
McCombs.	Williams
McGill.	of Travis.
Minor.	Williamson.
Montgomery.	Woodruff.
Morse.	Young.

## Nays—23.

Barnett.	Kennedy.
Bird.	Kirkland.
Black.	Land.
Davis.	Lipscomb.
DeBerry.	Long.
Eickenroht.	Merritt.
Faulk.	Murphy.
Forbes.	Pavlica.
Gibson.	Renfro of Mills.
Gilbert.	Runge.

Walker.  
Wassell.

Woodall.

Absent.

Bateman.	Powell.
Cox.	Purl.
Duvall.	Reagan.
Fuchs.	Renfro
Gates.	of Angelina.
Hall.	Satterwhite.
Hogg.	Stevenson.
Keeton.	Sutton.
Nicholson.	Tillotson.

Absent—Excused.

Anderson.	Kinnear.
Justice.	McKean.
King of	Pool.
Throckmorton.	

SENATE BILL NO. 311 ON SECOND  
READING.

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to third reading,

S. B. No. 311, A bill to be entitled "An Act to repeal subdivision 1, Article 3883, Chapter 1, Title 61, of the Revised Civil Statutes of 1925, and to amend Article 3900, Chapter 1, Title 61, of the Revised Civil Statutes of 1925, so as to provide that certain officers in counties having a population of twenty-five thousand, or less, inhabitants, according to the last preceding United States census, shall be exempt from the provisions of Articles 3891, 3896 and 3897, Chapter 1, Title 61, of the Revised Civil Statutes of 1925, and declaring an emergency."

The bill was read second time.

Mr. Powell offered the following amendment to the bill:

Amend Senate bill No. 311 by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. That Article 3891, Chapter 1, Title 61, of the Revised Civil Statutes of Texas, 1925, be and the same is hereby amended so as hereafter to read as follows:

"Article 3891. Disposition of Fees.—Each officer named in this chapter shall first, out of the fees of his office, pay or be paid, the amount allowed him as his maximum annual fees, and such expenses as he may be entitled to under Article 3899 of this chapter, together with the salaries of his assistants or deputies. If the fees of such office collected in any one year be more than the maxi-

imum annual fees and expenses which such officer is allowed to retain under the provisions of this chapter, together with salaries of his assistants or deputies, the same shall be deemed excess fees. In addition to the maximum annual fees fixed in Article 3883, such officer shall also be authorized to retain as commissions three-fourths ( $\frac{3}{4}$ ) of all excess fees collected by him in one year; provided, the annual compensation of any county officer mentioned in this article (which shall include all fees of office, commissions and all other compensation received by him, but which shall not include the salaries paid to his deputies or assistants, nor the expenses of office allowed him under the provisions of Article 3899 of this chapter) shall never exceed five thousand dollars (\$5000) in any one year. All excess fees collected during any fiscal year, after first deducting the commissions permitted by this article to be retained by the officer collecting same, shall be by such officer paid into the county treasury of the county where the excess accrued; provided, that in counties of less than twenty-five thousand inhabitants and which counties constitute a separate judicial district, the chief deputy or first assistant of the officers named in this chapter shall receive a salary not to exceed eighteen hundred dollars (\$1800) per annum, and the other deputies or assistants a salary not to exceed fifteen hundred dollars (\$1500) per annum, and the limitations as to the pay of deputies and assistants elsewhere provided in this chapter shall not apply to such counties.

"Sec. 2. That Article 3895, Chapter 1, Title 61, of the Revised Civil Statutes of Texas, 1925, be and the same is hereby amended so as hereafter to read as follows:

"Article 3895. Ex-Officio Services.—The commissioners court is hereby prohibited from allowing compensation for ex-officio services to any county officer, when the fees of such office amount to the maximum annual fees which such officer is allowed to retain as provided for in Article 3883 of this chapter. In case such fees of office shall not reach the maximum annual fees, which such officers are allowed to retain as provided for in Article 3883 of this chapter, the commissioners court shall allow compensation for ex-officio services when in their judgment such compensation is necessary; provided, such compensation for ex-officio services shall not increase the compensation of such officer beyond the maximum annual fees

he is allowed to retain under this chapter."

"Sec. 3. That Article 3900, Chapter 1, Title 61, of the Revised Civil Statutes of Texas, 1925, be and the same is hereby repealed.

"Sec. 4. The fact that much confusion exists as to the amount of excess fees county officials named in Section 1, Article 3883, of the Revised Civil Statutes of 1925, are permitted to retain, and the further fact that such county officers are not now required to keep any account or make any report of the sums of money coming into their hands as fees of office and commissions or to make any report as to the amount of fees collected, and retained or paid out by them, creates an emergency and an imperative public necessity demanding that the constitutional rule requiring bills to be read on three several days in each house be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted."

Mr. Bonham offered the following amendment to the amendment:

Amend the amendment by changing the period, at the close of Section 1, to a comma, and adding the following:

"And provided further, that in counties of between ten and forty thousand population, the commissioners court may, in its discretion, authorize the sheriff to appoint one deputy to be paid not more than \$1800 per year out of the general funds of the county if the fees of the sheriff's office are not sufficient therefor."

The amendment to the amendment was adopted.

The amendment as amended was then adopted.

Mr. Powell offered the following amendment to the bill:

Amend Senate bill No. 311 by striking out all above the enacting clause, and inserting the following in lieu thereof:

"An Act to amend Article 3891, Chapter 1, Title 61, of the Revised Civil Statutes of Texas, 1925, relating to the disposition of fees of office collected by certain county officers; defining 'excess fees' and placing limitations on the amount of such excess fees such county officials may retain and authorizing the appointment and payment of deputy sheriffs in certain counties; to amend Article 3895, Chapter 1, Title 61 of the Revised Civil Statutes of Texas, 1925, relating to compensation authorized to

be paid certain county officers for ex-officio services; authorizing the commissioners court to allow compensation for such services and placing limitations on the amount of such compensation; repealing Article 3900, Chapter 1, Title 61 of the Revised Civil Statutes of Texas, 1925, and declaring an emergency."

The amendment was adopted.

Senate bill No. 311 was then passed to third reading.

#### SENATE BILL NO. 311 ON THIRD READING.

Mr. Smyth moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 311 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—127.

Mr. Speaker.	Holland.
Acker.	Hornaday.
Alexander.	Jacks.
Avis.	Johnson.
Barnett.	Jones.
Barron.	Kayton.
Bass.	Keeton.
Bateman.	Kemble.
Beck.	Kenyon.
Bird.	Kincaid.
Boggs.	King of Hopkins.
Bonham.	Kirby.
Boon.	Kirkland.
Branch.	Land.
Brice.	Lipscomb.
Cornwell.	Loftin.
Cox.	Long.
Cummings.	Loy.
Daniel.	Masterson.
Davis.	McCombs.
DeBerry.	McGill.
Dunlap.	Merritt.
Duvall.	Minor.
Enderby.	Montgomery.
Farrar.	Morse.
Faulk.	Moursund.
Finlay.	Murphy.
Fly.	Nabors.
Forbes.	Nicholson.
Foster.	Parish of Runnels.
Fuchs.	Parrish of Travis.
Gibson.	Pavlica.
Gilbert.	Pearce.
Gray.	Petsch.
Hagaman.	Poage.
Hall.	Pope.
Harding.	Porter.
Harman.	Powell.
Hefley.	Ramsey.
High.	Rawlins.
Hogg.	Reagan.

Renfro	Swain.
of Angelina.	Taylor.
Rogers of Hays.	Teer.
Rogers of Shelby.	Tillotson.
Rowell.	Turner.
Runge.	Van Zandt.
Sanders.	Veatch.
Satterwhite.	Walker.
Shaver.	Wallace
Shearer.	of Freestone.
Sheats.	Wallace of Panola.
Shirley.	Ware.
Simmons.	Wassell.
Sinks.	Webb.
Smith of Atascosa.	Wells.
Smith of El Paso.	Whitaker.
Smith of Nueces.	Williams
Smith of Smith.	of Sabine.
Smyth.	Williams
Snelgrove.	of Travis.
Stell.	Williamson.
Stevenson.	Woodall.
Storey.	Woodruff.
Stout.	Young.

Nays—3.

Albritton.	Olsen.
Kennedy.	
	Absent.
Black.	Graves.
Brown.	Holder.
Conway.	Purl.
Denman.	Renfro of Mills.
Dielmann.	Sutton.
Eickenroht.	Waddell.
Gates.	

Absent—Excused.

Anderson.	Kinnear.
Justice.	McKean.
King of	Pool.
Throckmorton.	

The Speaker then laid the bill before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—123.

Mr. Speaker.	Cummings.
Acker.	Daniel.
Alexander.	Davis.
Avis.	Dielmann.
Barron.	Dunlap.
Bass.	Duvall.
Bateman.	Enderby.
Beck.	Eickenroht.
Bird.	Farrar.
Boggs.	Faulk.
Boon.	Finlay.
Branch.	Fly.
Brice.	Forbes.
Cornwell.	Foster.
Cox.	Fuchs.

Gibson.	Reagan.
Gilbert.	Renfro
Gray.	of Angelina.
Hagaman.	Renfro of Mills.
Harding.	Rogers of Hays.
Hefley.	Rogers of Shelby.
High.	Rowell.
Hogg.	Runge.
Holland.	Sanders.
Hornaday.	Satterwhite.
Jacks.	Shaver.
Johnson.	Shearer.
Jones.	Sheats.
Kayton.	Shirley.
Keeton.	Simmons.
Kemble.	Smith of El Paso.
Kenyon.	Smith of Nueces.
Kincaid.	Smith of Smith.
King of Hopkins.	Smyth.
Kirby.	Snelgrove.
Kirkland.	Stell.
Land.	Stevenson.
Lipscomb.	Storey.
Loftin.	Stout.
Long.	Swain.
Loy.	Taylor.
Masterson.	Teer.
McCombs.	Tillotson.
McGill.	Turner.
Merritt.	Van Zandt.
Minor.	Veatch.
Montgomery.	Waddell.
Morse.	Walker.
Moursund.	Wallace
Murphy.	of Freestone.
Nabors.	Wallace of Panola.
Nicholson.	Wallace of Smith.
Parish of Runnels.	Ware.
Parrish of Travis.	Wassell.
Pavlica.	Webb.
Pearce.	Wells.
Petsch.	Whitaker.
Poage.	Williams
Pope.	of Sabine.
Porter.	Woodall.
Powell.	Woodruff.
Ramsey.	Young.
Rawlins.	

Nays—3.

Albritton.	Olsen.
Kennedy.	

Present—Not Voting.

Barnett.	DeBerry.
----------	----------

Absent.

Black.	Holder.
Bonham.	Purl.
Brown.	Sinks.
Conway.	Smith of Atascosa.
Denman.	Sutton.
Gates.	Williams
Graves.	of Travis.
Hall.	Williamson.
Harman.	

Absent—Excused.

Anderson.	Kinnear.
Justice.	McKean.
King of	Pool.
Throckmorton.	

## HOUSE BILL NO. 59 WITH SENATE AMENDMENTS.

Mr. Satterwhite called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 59, A bill to be entitled "An Act providing for the defining of a policy managing and operating the State Prison System and for the appointment of a board of directors, composed of nine persons, to be appointed by the Governor with six-year terms; defining the duties of said board of directors; providing for the appointment of a general manager of the prison system; defining the duties and providing for the compensation of such general manager; providing that under unforeseen, calamitous conditions, such as failure of crops, etc., prisoners may be worked on public works, etc., and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Satterwhite moved that the House do not concur in the Senate amendments, and that a free conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

## CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 7.

The Speaker laid before the House, for consideration at this time, the following report:

Committee Room,  
Austin, Texas, March 10, 1927.

Hon. Barry Miller, President of the Senate, and Hon. R. L. Bobbitt, Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee, appointed to consider and adjust the differences between the two houses on

S. S. C. B. No. 7, A bill to be entitled "An Act to amend Article 1855, Chapter 3 of Title 37 of the Revised Civil Statutes of Texas of 1925, relating to and better defining and fixing the appellate jurisdiction of the Supreme Court of Texas, and declaring an emergency,"

Having met and after a full and free conference have agreed to recommend and do recommend that the House recede from all of its amendments to said bill, and that said bill, as passed by the Senate and sent to the House, be adopted and passed without amendments, all of which is respectfully submitted.

BAILEY,  
WIRTZ,  
WOODWARD,  
BOWERS,  
PRICE,

On the part of the Senate.

RAWLINS,  
McCOMBS,  
MINOR,  
JACKS,  
SINKS,

On the part of the House.

On motion of Mr. Rawlins, the report was adopted by the following vote:

Yeas—104.

Mr. Speaker.	Jacks.
Acker.	Jones.
Albritton.	Keeton.
Avis.	Kemble.
Barnett.	Kenyon.
Barron.	Kincaid.
Bass.	King of Hopkins.
Bateman.	Kirkland.
Beck.	Land.
Boggs.	Lipscomb.
Boon.	Loy.
Branch.	Masterson.
Brice.	McCombs.
Brown.	McGill.
Cox.	Merritt.
Cummings.	Minor.
Daniel.	Moursund.
Davis.	Murphy.
DeBerry.	Nicholson.
Dunlap.	Olsen.
Enderby.	Parish of Runnels.
Faulk.	Pavlica.
Finlay.	Pearce.
Fly.	Petsch.
Forbes.	Pope.
Foster.	Porter.
Fuchs.	Ramsey.
Gibson.	Rawlins.
Gilbert.	Reagan.
Graves.	Renfro
Gray.	of Angelina.
Hagaman.	Renfro of Mills.
Hall.	Rogers of Hays.
Harding.	Rogers of Shelby.
Harman.	Rowell.
Hefley.	Satterwhite.
High.	Shaver.
Hogg.	Shearer.
Holland.	Sheats.

Shirley.	Waddell.
Simmons.	Walker.
Sinks.	Wallace
Smith of Atascosa.	of Freestone.
Smith of El Paso.	Wallace of Panola.
Smith of Smith.	Wassell.
Snelgrove.	Whitaker.
Storey.	Williams
Swain.	of Sabine.
Taylor.	Williams
Teer.	of Travis.
Tillotson.	Williamson.
Turner.	Woodall.
Van Zandt.	Woodruff.
Veatch.	Young.

Nays—4.

Loftin.	Ware.
Sanders.	Webb.

Present—Not Voting.

Bird.	Stell.
Farrar.	

Absent.

Alexander.	Long.
Black.	Montgomery.
Bonham.	Morse.
Conway.	Nabors.
Cornwell.	Parrish of Travis.
Denman.	Poage.
Dielmann.	Powell.
Duvall.	Purl.
Eickenroht.	Runge.
Gates.	Smith of Nueces.
Holder.	Smyth.
Hornaday.	Stevenson.
Johnson.	Stout.
Kayton.	Sutton.
Kennedy.	Wells.
Kirby.	

Absent—Excused.

Anderson.	Kinnear.
Justice.	McKean.
King of	Pool.
Throckmorton.	

#### SENATE BILL NO. 239 ON SECOND READING.

On motion of Mr. Acker, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading.

S. B. No. 239, A bill to be entitled "An Act relative to the care of delinquent negro girls."

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

#### SENATE BILL NO. 239 ON THIRD READING.

Mr. Acker moved that the constitutional rule requiring bills to be read on

three several days be suspended and that Senate bill No. 239 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—113.

Mr. Speaker.	Moursund.
Acker.	Murphy.
Alexander.	Nabors.
Avis.	Nicholson.
Barnett.	Parish of Runnels.
Barron.	Pavlica.
Bass.	Pearce.
Bateman.	Petsch.
Bird.	Poage.
Boggs.	Pope.
Bonham.	Porter.
Boon.	Powell.
Branch.	Ramsey.
Brice.	Rawlins.
Brown.	Reagan.
Cornwell.	Renfro
Cox.	of Angelina.
Cummings.	Rogers of Hays.
Davis.	Rogers of Shelby.
DeBerry.	Rowell.
Dunlap.	Runge.
Duvall.	Sanders.
Enderby.	Satterwhite.
Farrar.	Shaver.
Finlay.	Shearer.
Fly.	Sheats.
Forbes.	Shirley.
Foster.	Simmons.
Fuchs.	Sinks.
Gibson.	Smith of Atascosa.
Gilbert.	Smith of El Paso.
Gray.	Smith of Nueces.
Hagaman.	Smith of Smith.
Hall.	Stell.
Harding.	Storey.
Hefley.	Stout.
High.	Swain.
Hogg.	Taylor.
Holder.	Teer.
Holland.	Tillotson.
Hornaday.	Van Zandt.
Johnson.	Veatch.
Jones.	Waddell.
Keeton.	Wallace of Panola.
Kemble.	Wallace of Smith.
Kenyon.	Ware.
Kincaid.	Wassell.
King of Hopkins.	Webb.
Kirby.	Wells.
Kirkland.	Whitaker.
Lipscomb.	Williams
Loftin.	of Sabine.
Long.	Williams
Loy.	of Travis.
McCombs.	Williamson.
McGill.	Woodall.
Minor.	Woodruff.
Morse.	Young.

Nays—4.

Albritton.  
Kennedy.

Olsen.  
Snelgrove.

Absent.

Beck.  
Black.  
Conway.  
Daniel.  
Denman.  
Dielmann.  
Eickenroht.  
Faulk.  
Gates.  
Graves.  
Harman.  
Jacks.  
Kayton.  
Land.

Masterson.  
Merritt.  
Montgomery.  
Parrish of Travis.  
Purl.  
Renfro of Mills.  
Smyth.  
Stevenson.  
Sutton.  
Turner.  
Walker.  
Wallace  
of Freestone.

Absent—Excused.

Anderson.  
Justice.  
King of  
Throckmorton.

Kinnear.  
McKean.  
Pool.

The Speaker then laid Senate bill No. 239 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—110.

Mr. Speaker.  
Acker.  
Alexander.  
Avis.  
Barnett.  
Bass.  
Bateman.  
Bird.  
Boggs.  
Branch.  
Brice.  
Cornwell.  
Cox.  
Cummings.  
Daniel.  
Davis.  
DeBerry.  
Dunlap.  
Duvall.  
Enderby.  
Faulk.  
Finlay.  
Fly.  
Forbes.  
Foster.  
Fuchs.  
Gibson.  
Gilbert.  
Gray.  
Hall.  
Harding.

Hefley.  
High.  
Hogg.  
Holder.  
Hornaday.  
Johnson.  
Jones.  
Keeton.  
Kemble.  
Kenyon.  
Kincaid.  
King of Hopkins.  
Kirby.  
Kirkland.  
Lipscomb.  
Long.  
Loy.  
McCombs.  
McGill.  
Merritt.  
Minor.  
Morse.  
Moursund.  
Murphy.  
Nabors.  
Nicholson.  
Olsen.  
Parish of Runnels.  
Pavlica.  
Pearce.  
Petsch.

Poage.	Stell.
Pope.	Storey.
Porter.	Swain.
Powell.	Taylor.
Ramsey.	Teer.
Rawlins.	Tillotson.
Renfro	Van Zandt.
of Angelina.	Veatch.
Rogers of Hays.	Waddell.
Rogers of Shelby.	Wallace
Rowell.	of Freestone.
Runge.	Wallace of Panola.
Sanders.	Ware.
Satterwhite.	Wassell.
Shaver.	Webb.
Shearer.	Wells.
Sheats.	Whitaker.
Shirley.	Williams
Simmons.	of Sabine.
Sinks.	Williams
Smith of Atascosa.	of Travis.
Smith of El Paso.	Williamson.
Smith of Nueces.	Woodall.
Smith of Smith.	Woodruff.
Smyth.	Young.

Nays—4.

Boon.	Snelgrove.
Farrar.	Stout.

Present—Not Voting.

Kennedy.	Reagan.
----------	---------

Absent.

Albritton.	Holland.
Barron.	Jacks.
Beck.	Kayton.
Black.	Land.
Bonham.	Loftin.
Brown.	Masterson.
Conway.	Montgomery.
Denman.	Parrish of Travis.
Dielmann.	Purl.
Eickenroht.	Renfro of Mills.
Gates.	Stevenson.
Graves.	Sutton.
Hagaman.	Turner.
Harman.	Walker.

Absent—Excused.

Anderson.	Kinnear.
Justice.	McKean.
King of	Pool.
Throckmorton.	

BILL ORDERED NOT PRINTED.

On motion of Mr. Petsch, Senate bill No. 383 was ordered not printed.

SENATE BILL NO. 159 ON SECOND READING.

On motion of Mr. Teer, the regular order of business was suspended to take

up and have placed on its second reading and passage to third reading.

S. B. No. 159, A bill to be entitled "An Act making an emergency and supplementary appropriation out of the general revenues of the State to be used by the Live Stock Sanitary Commission of Texas in the eradication and control of contagious, infectious and communicable diseases of live stock, etc., and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

SENATE BILL NO. 159 ON THIRD READING.

Mr. Teer moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 159 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106.

Mr. Speaker.	Kincaid.
Alexander.	King of Hopkins.
Avis.	Kirby.
Bass.	Kirkland.
Bateman.	Lipscomb.
Beck.	Masterson.
Bird.	McCombs.
Boggs.	McGill.
Bonham.	Merritt.
Branch.	Minor.
Brice.	Montgomery.
Conway.	Morse.
Cornwell.	Moursund.
Cox.	Murphy.
Cummings.	Nabors.
Daniel.	Nicholson.
Davis.	Parish of Runnels.
DeBerry.	Pearce.
Dunlap.	Petsch.
Enderby.	Poage.
Finlay.	Porter.
Fly.	Powell.
Forbes.	Ramsey.
Foster.	Rawlins.
Fuchs.	Reagan.
Gibson.	Renfro
Gray.	of Angelina.
Hagaman.	Rogers of Hays.
Hall.	Rogers of Shelby.
Harding.	Rowell.
Harman.	Runge.
Hefley.	Satterwhite.
High.	Shaver.
Hogg.	Shearer.
Holder.	Sheats.
Holland.	Shirley.
Hornaday.	Simmons.
Jacks.	Smith of Atascosa.
Johnson.	Smith of El Paso.
Kenyon.	Smith of Nueces.

Smith of Smith.	Wallace of Panola.
Storey.	Ware.
Swain.	Wassell.
Taylor.	Webb.
Teer.	Wells.
Tillotson.	Whitaker.
Turner.	Williams
Van Zandt.	of Sabine.
Veatch.	Williamson.
Waddell.	Woodall.
Wallace	Woodruff.
of Freestone.	Young.

Nays—14.

Albritton.	Loy.
Barnett.	Olsen.
Boon.	Sanders.
Farrar.	Snelgrove.
Jones.	Stell.
Kennedy.	Williams
Land.	of Travis.
Long.	

Present—Not Voting.

Keeton.

Absent.

Acker.	Loftin.
Barron.	Parrish of Travis.
Black.	Pavlica.
Brown.	Pope.
Denman.	Purl.
Dielmann.	Renfro of Mills.
Duvall.	Sinks.
Eickenroht.	Smyth.
Faulk.	Stevenson.
Gates.	Stout.
Gilbert.	Sutton.
Graves.	Walker.
Kayton.	Wallace of Smith.
Kemble.	

Absent—Excused.

Anderson.	Kinnear.
Justice.	McKean.
King of	Pool.
Throckmorton.	

The Speaker then laid Senate bill No. 159 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—101.

Mr. Speaker.	Brice.
Acker.	Conway.
Albritton.	Cornwell.
Avis.	Cox.
Bass.	Cummings.
Bateman.	DeBerry.
Beck.	Dunlap.
Bird.	Enderby.
Boggs.	Finlay.
Bonham.	Fly.
Branch.	Forbes.

Foster.	Rawlins.
Fuchs.	Renfro
Gibson.	of Angelina.
Gray.	Rogers of Hays.
Hagaman.	Rowell.
Hall.	Runge.
Harding.	Satterwhite.
Harman.	Shaver.
High.	Shearer.
Hogg.	Sheats.
Holder.	Shirley.
Holland.	Simmons.
Hornaday.	Smith of Atascosa.
Jacks.	Smith of El Paso.
Johnson.	Smith of Nueces.
Kenyon.	Smith of Smith.
Kincaid.	Storey.
King of Hopkins.	Swain.
Kirby.	Taylor.
Kirkland.	Teer.
Lipscomb.	Tillotson.
Masterson.	Turner.
McGill.	Van Zandt.
Minor.	Veatch.
Montgomery.	Waddell.
Morse.	Wallace
Moursund.	of Freestone.
Murphy.	Wallace of Panola.
Nabors.	Ware.
Nicholson.	Wassell.
Olsen.	Webb.
Parish of Runnels.	Wells.
Pavlica.	Whitaker.
Pearce.	Williams
Petsch.	of Sabine.
Poage.	Williamson.
Pope.	Woodall.
Porter.	Young.
Ramsey.	

Nays—17.

Barnett.	Reagan.
Black.	Rogers of Shelby.
Boon.	Sanders.
Eickenroht.	Snelgrove.
Farrar.	Stell.
Jones.	Stout.
Land.	Williams
Long.	of Travis.
Loy.	Woodruff.

Present—Not Voting.

Keeton.	Wallace of Smith.
Kennedy.	

Absent.

Alexander.	Graves.
Barron.	Hefley.
Brown.	Kayton.
Daniel.	Kemble.
Davis.	Loftin.
Denman.	McCombs.
Dielmann.	Merritt.
Duvall.	Parrish of Travis.
Faulk.	Powell.
Gates.	Purl.
Gilbert.	Renfro of Mills.

Sinks.                      Sutton.  
Smyth.                     Walker.  
Stevenson.               Absent—Excused.

Anderson.               Kinnear.  
Justice.                  McKean.  
King of                   Pool.  
Throckmorton.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 10, 1927.

Hon. Robert Lee Bobbitt, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to  
inform the House that the Senate has  
passed the following bills and resolu-  
tions:

H. C. R. No. 29, Providing for sine  
die adjournment on Wednesday, March  
16, 1927, at noon.

H. B. No. 398, A bill to be entitled  
"An Act to provide for the designing,  
purchase and installation of a memorial  
tablet in the Texas Memorial Stadium,  
commemorating the services of Texas  
men and women who served in the World  
War; providing for a committee to de-  
sign, select and install the tablet herein  
provided for; making an appropriation  
for all expenses incident thereto, and  
declaring an emergency."

H. J. R. No. 15, Proposing an amend-  
ment to the Constitution of the State  
of Texas, authorizing a tax levy for  
Confederate soldiers and sailors and  
their widows, and providing for sub-  
mission of same to the qualified electors  
of this State at an election to be held  
on the first Tuesday after the first  
Monday in November, A. D. 1928, and  
providing for the necessary proclama-  
tion.

H. J. R. No. 20, Proposing an amend-  
ment to Section 2, Article 8, of the Con-  
stitution of the State, so as to author-  
ize the Legislature to exempt from taxa-  
tion any property owned by a church or  
by a strictly religious society devoted  
exclusively to use as a dwelling place for  
the ministry of such church or religious  
society; providing for an election upon  
such proposed constitutional amend-  
ment, and making an appropriation  
therefor, with amendments.

S. B. No. 482, A bill to be entitled  
"An Act appropriating \$25,000 out of  
general revenue to supplement mileage  
and per diem for Fortieth Legislature."

Has refused to pass finally:

H. J. R. No. 14, Proposing ten amend-  
ments to the Constitution relating to  
public education: (1) Limiting terms  
of officers of school system to ten years;

(2) providing for a State Board of Edu-  
cation; (3) providing for a State Board  
of Higher Education; (4) authorizing a  
county school tax not exceeding 50 cents;  
(5) authorizing issuance of anticipation  
warrants; (6) providing for distribu-  
tion of State school funds as the Legis-  
lature may prescribe; (7) providing for  
the equalization of taxation; (8) repeal-  
ing prohibition of appropriations to Uni-  
versity for building purposes; (9) pro-  
viding for stabilization of the available  
school fund; (10) fixing the date at  
which terms of appointive officers shall  
begin.

Respectfully,  
MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

MOTION TO TAKE UP HOUSE BILL  
NO. 69.

Mr. Satterwhite moved that the reg-  
ular order of business be suspended for  
the purpose of taking up, for consider-  
ation at this time,

H. B. No. 69, A bill to be entitled  
"An Act levying a State occupation tax  
on every person, firm, partnership, com-  
pany, corporation, association, receiver,  
trustee, common law trust or other con-  
cern selling at retail cigars and ciga-  
rettes; defining persons; defining whole-  
saler; defining retailer, to include sales  
to consumers in any quantity; enacting  
the necessary provisions to enforce the  
collection of the tax and to accomplish  
the purpose of the act; prescribing pen-  
alties for failure to comply with the  
requirements of the act; providing for  
reports to be made by retailers to the  
Comptroller of all purchases made and  
of all sales made and for payment of  
the tax; providing for wholesalers to  
report to the Comptroller all sales made  
to the retailers in Texas; providing for  
the disposition of funds received; re-  
pealing all laws in conflict herewith,  
and declaring an emergency."

Pending consideration of the motion  
by Mr. Satterwhite to take up House bill  
No. 69, Mr. Tillotson raised the fol-  
lowing point of order:

"That the bill could not be taken up  
on viva voce vote, but that a two-thirds  
majority was required, and a record vote  
must be taken.

"That this being Thursday, it is Senate  
bill day, the standing rules of the House  
declaring that Wednesday and Thursday  
of each week shall be Senate bill days;  
and that no standing rule of the House  
shall be suspended except by an affirma-  
tive vote of two-thirds of the members  
present; nor shall any other business be

considered on days devoted by these rules to Senate bills, except local bills in certain designated hours of the day, after 4:30 p. m., except by unanimous consent. (Rule 22, Section 1.) That this being a Senate bill day, House bill No. 69 may not be taken up for consideration except by vote of two-thirds of the members present.

"And the further point of order that the House having passed a concurrent resolution providing for sine die adjournment on Wednesday, March 16th, and having been notified of the concurrence of the Senate in such sine die adjournment resolution, the period of six days prior to adjournment, stipulated in Rule 22, Section 3, automatically became effective at once. That in Rule 22, Section 3, it is declared that the Speaker shall not entertain a motion to suspend the order of business established by the rules for the purpose of taking up any bill out of its regular order except on Monday of each week, and during the first four days of the last six days of the session; provided, however, that in the said first four days, declared to be suspension days, it shall require a two-thirds vote to suspend the regular order and take up any measure.

"That House bill No. 69 not being entitled to be considered in regular order on this, a Senate bill day, could not be taken up except by such suspension of the rules as the standing rules of the House require.

"That if it be held by the Chair that the House is operating under the six-day limit preceding adjournment, this being within the six days it is a suspension day as declared in said Rule 22, Section 3, and may not be taken up except by a two-thirds affirmative vote of the House. That the bill is before the House in violation of the standing and mandatory rules of the House, and may not be taken up except by two-thirds affirmative record vote of the members."

Yeas and nays were demanded, and the result was announced as follows:

## Yeas—77.

Mr. Speaker.	Dielmann.
Avis.	Enderby.
Barnett.	Farrar.
Barron.	Faulk.
Bass.	Finlay.
Beck.	Foster.
Boon.	Gilbert.
Branch.	Graves.
Brice.	Gray.
Brown.	Hagaman.
Conway.	Harman.
Daniel.	Hefley.

Holder.	Shaver.
Hornaday.	Shearer.
Keeton.	Sheats.
King of Hopkins.	Shirley.
Lipscomb.	Simmons.
Long.	Smith of Smith.
Masterson.	Smyth.
Minor.	Snelgrove.
Montgomery.	Stout.
Moursund.	Sutton.
Murphy.	Swain.
Nicholson.	Teer.
Olsen.	Van Zandt.
Parish of Runnels.	Veatch.
Parrish of Travis.	Waddell.
Pearce.	Walker.
Petsch.	Wallace of Smith.
Pope.	Wassell.
Porter.	Webb.
Ramsey.	Wells.
Rawlins.	Whitaker.
Renfro of Mills.	Williams
Rogers of Hays.	of Sabine.
Rogers of Shelby.	Williamson.
Rowell.	Woodall.
Sanders.	Woodruff.
Satterwhite.	

## Nays—54.

Acker.	Kirby.
Albritton.	Kirkland.
Alexander.	Land.
Bateman.	Loftin.
Bird.	Loy.
Black.	McCombs.
Boggs.	McGill.
Cornwell.	Merritt.
Cummings.	Morse.
DeBerry.	Nabors.
Dunlap.	Pavlica.
Eickenroht.	Poage.
Fly.	Reagan.
Forbes.	Sinks.
Fuchs.	Smith of Atascosa.
Gibson.	Smith of El Paso.
Hall.	Smith of Nueces.
Harding.	Stell.
High.	Storey.
Hogg.	Taylor.
Holland.	Tillotson.
Jacks.	Wallace
Johnson.	of Freestone.
Jones.	Wallace of Panola.
Kemble.	Ware.
Kennedy.	Williams
Kenyon.	of Travis.
Kincaid.	Young.

## Absent.

Bonham.	Powell.
Cox.	Purl.
Davis.	Renfro
Denman.	of Angelina.
Duvall.	Runge.
Gates.	Stevenson.
Kayton.	Turner.

## Absent—Excused.

Anderson.	Kinnear.
Justice.	McKean.
King of	Pool.
Throckmorton.	

The Speaker announced that the motion to suspend was lost, stating that it would take a two-thirds vote to suspend the rule.

Mr. Foster then appealed from the ruling of the Chair, relating to the vote required to suspend the rule.

The appeal was duly seconded.

Mr. Satterwhite was called to the chair pending the appeal.

Question—Shall the ruling of the Chair be sustained?

Mr. Farrar moved that the House recess to 2 o'clock p. m. today.

Mr. DeBerry raised a point of order on further consideration of the motion at this time, on the ground that pending an appeal no motion is in order except a motion to adjourn.

The Speaker sustained the point of order.

Mr. Woodruff moved the previous question on the appeal from the ruling of the Chair, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The main question was ordered by the following vote:

## Yeas—77.

Avis.	King of Hopkins.
Barnett.	Lipscomb.
Barron.	Loy.
Bass.	Masterson.
Boggs.	Minor.
Boon.	Montgomery.
Branch.	Morse.
Brice.	Moursund.
Brown.	Nicholson.
Conway.	Parrish of Travis.
Cox.	Petsch.
Davis.	Pope.
Dielmann.	Porter.
Enderby.	Ramsey.
Fly.	Rawlins.
Foster.	Renfro of Mills.
Gilbert.	Rogers of Hays.
Graves.	Rogers of Shelby.
Gray.	Runge.
Hagaman.	Sanders.
Harman.	Shaver.
Holder.	Shearer.
Hornaday.	Sheats.
Johnson.	Shirley.
Keeton.	Simmons.
Kennedy.	Smith of El Paso.

Smith of Smith.	Ware.
Smyth.	Webb.
Snelgrove.	Whitaker.
Stevenson.	Williams
Stout.	of Sabine.
Swain.	Williams
Van Zandt.	of Travis.
Veatch.	Woodall.
Waddell.	Woodruff.
Walker.	

## Nays—53.

Acker.	Kirkland.
Albritton.	Land.
Beck.	Loftin.
Bird.	Long.
Black.	McCombs.
Cornwell.	McGill.
Cummings.	Merritt.
Daniel.	Murphy.
Dunlap.	Nabors.
Duval.	Pavlica.
Farrar.	Pearce.
Finlay.	Poage.
Forbes.	Reagan.
Fuchs.	Rowell.
Gibson.	Sinks.
Hall.	Smith of Atascosa.
Harding.	Smith of Nueces.
Hefley.	Stell.
High.	Storey.
Hogg.	Taylor.
Holland.	Tillotson.
Jacks.	Turner.
Jones.	Wallace
Kayton.	of Freestone.
Kenyon.	Wallace of Panola.
Kincaid.	Wassell.
Kirby.	Young.

## Present—Not Voting.

DeBerry.

## Absent.

Alexander.	Powell.
Bateman.	Purl.
Bonham.	Renfro
Denman.	of Angelina.
Eickenroht.	Satterwhite.
Faulk.	Sutton.
Gates.	Teer.
Kemble.	Wells.
Olsen.	Williamson.
Parish of Runnels.	

## Absent—Excused.

Anderson.	Kinnear.
Justice.	McKean.
King of	Pool.
Throckmorton.	

Question again recurring—Shall the House sustain the ruling of the Chair?

The House sustained the ruling of the Chair by the following vote:

## Yeas—98.

Acker.	Morse.
Albritton.	Murphy.
Anderson.	Nabors.
Avis.	Parrish of Travis.
Barron.	Pavlica.
Bass.	Pearce.
Bateman.	Petsch.
Beck.	Poage.
Bird.	Pope.
Black.	Porter.
Boggs.	Powell.
Bonham.	Ramsey.
Branch.	Reagan.
Cornwell.	Renfro of Mills.
Cox.	Rogers of Hays.
Daniel.	Rogers of Shelby.
Davis.	Rowell.
DeBerry.	Runge.
Dunlap.	Sanders.
Farrar.	Satterwhite.
Finlay.	Shaver.
Fly.	Sheats.
Forbes.	Shirley.
Gibson.	Simmons.
Graves.	Sinks.
Gray.	Smith of El Paso.
Hagaman.	Smith of Nueces.
Hall.	Smyth.
Harding.	Snelgrove.
Harman.	Stell.
Hefley.	Stevenson.
High.	Storey.
Hogg.	Stout.
Holder.	Swain.
Holland.	Taylor.
Jacks.	Teer.
Johnson.	Tillotson.
Jones.	Turner.
Kayton.	Van Zandt.
Keeton.	Veatch.
Kemble.	Walker.
Kenyon.	Wallace
Kincaid.	of Freestone.
Kirby.	Wallace of Panola.
Kirkland.	Ware.
Land.	Wassell.
Long.	Webb.
Loy.	Whitaker.
Masterson.	Williams
McCombs.	of Travis.
McGill.	Williamson.
Merritt.	Woodall.
Minor.	Young.

## Nays—21.

Barnett.	Hornaday.
Boon.	Kennedy.
Brice.	Lipscomb.
Brown.	Moursund.
Conway.	Rawlins.
Dielmann.	Shearer.
Enderby.	Smith of Smith.
Foster.	Waddell.
Fuchs.	Wells.
Gilbert.	

Williams  
of Sabine.

Woodruff.

Present—Not Voting.

Duvall.  
Nicholson.Smith of Atascosa.  
Wallace of Smith.

Absent.

Alexander.  
Cummings.  
Denman.  
Eickenroht.  
Faulk.  
Gates.  
King of Hopkins.  
Loftin.Montgomery.  
Olsen.  
Parish of Runnels.  
Purl.  
Renfro  
of Angelina.  
Sutton.

Absent—Excused.

Justice.  
King of  
Throckmorton.Kinnear.  
McKean.  
Pool.

Reasons for Vote.

On the appeal from the ruling of the Chair, in which he says the question is "whether we will pass the tobacco tax," which he favors, although it seems to me the question ought to be whether we should correctly interpret the rules of the House, I vote "present." My reason is, first, I am no parliamentarian; and, second, I think the tobacco taxers will establish the rule that the House may take up any bill in the last four days by a majority vote, I have pending a bill, Senate bill No. 300, which I may get up by majority, but cannot get up by a two-thirds vote. I want the tobacco taxers to help me reach my bill.

SMITH of Atascosa.

## BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read, severally, the following enrolled bills:

H. B. No. 551, "An Act to create the office of State Service Officer, to be attached to the Comptroller's Department of the State of Texas; providing for his appointment; prescribing his qualifications and duties; fixing his salary; making appropriation for such, together with traveling and incidental expenses for the fiscal year ending August 31, 1927; providing all matters and things incidental to the main purpose of this act, and declaring an emergency."

H. B. No. 315, "An Act to authorize the establishment of a junior college in any school district, an independent district, a district in a city or town or

otherwise, having as many as six hundred pupils enrolled in its high schools and embracing taxable wealth to an amount not less than twenty million dollars; providing that such college shall be established, maintained and supported entirely at local expense and shall not be established unless authorized by a majority of the taxpaying voters in such district," etc.

#### SENATE BILL ON FIRST READING.

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate bill No. 482, to the Committee on Appropriations.

#### RECESS.

On motion of Mr. Kemble, the House, at 12:25 o'clock p. m., took recess to 2 o'clock p. m. today.

#### AFTERNOON SESSION

The House met at 2 o'clock p. m. and was called to order by the Speaker.

#### RELATING TO HOUSE BILL NO. 226.

On motion of Mr. Farrar, the En-grossing Clerk was authorized to make certain corrections in House bill No. 226.

#### RELATING TO HOUSE BILL NO. 492.

On motion of Mr. Bonham, the En-grossing Clerk was authorized to make certain corrections in House bill No. 492.

#### MOTION TO TAKE UP SENATE BILL NO. 9.

Mr. Veatch moved that the regular order of business be suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 9, A bill to be entitled "An Act repealing Chapter 184 of the General Laws of the State of Texas, passed by the Thirty-ninth Legislature, being Senate bill No. 252, entitled 'An Act granting to every person against whom any judgment of conviction has heretofore been rendered by the Senate of the State of Texas in any impeachment proceedings, a full and unconditional release of any and all acts and offenses of which any such person was so convicted under and by virtue of any such judgment, and to cancel and

remit any and all punishment fixed or assessed by any such judgment of said Senate,' and declaring an emergency."

The motion was lost, not receiving the necessary two-thirds vote.

#### MOTION TO TAKE UP SENATE BILL NO. 324.

Mr. Kemble moved that the regular order of business be suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 324, A bill to be entitled "An Act authorizing the creation of trust companies, defining their powers, fixing their liabilities, providing for the manner and form of their incorporation, providing for the supervision of the same by the State Banking Commissioner, providing for reserves against deposits, and declaring an emergency."

The motion was lost, not receiving the necessary two-thirds vote.

#### RELATING TO CONSIDERATION OF BILLS ON THIRD READING.

On motion of Mr. Satterwhite, the House agreed to take up and consider House bills on third reading at this time.

Mr. Satterwhite moved to reconsider the vote by which this motion was adopted.

The motion to reconsider prevailed.

#### BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolutions:

S. B. No. 239, "An Act relative to the care of delinquent negro girls."

S. B. No. 159, "An Act relative to the Live Stock Sanitary Commission."

H. C. R. No. 29, Relative to adjournment sine die.

H. J. R. No. 15, Relative to a tax levy for Confederate soldiers and sailors.

S. B. No. 7, "An Act to amend Article 1855 of the Revised Civil Statutes, 1925, so as to require Courts of Civil Appeals to certify to the Supreme Court any question of law involved in a decision of the Court of Civil Appeals in any case which conflicts with an opinion rendered by the Supreme Court or by some other Court of Civil Appeals of this State, and any question of law in-

volved in any case before the Court of Civil Appeals of which the court has final jurisdiction, which is important to the jurisprudence of the State and which has not been previously decided by the Supreme Court, and to authorize the Supreme Court to issue writs of mandamus to compel the certification of such question; and to repeal subdivision 6 of Article 1728, Revised Statutes, 1925, giving the Supreme Court jurisdiction of such questions by writ of error, and declaring an emergency."

#### RELATING TO ADOPTING STATE SONG.

The Speaker laid before the House, for consideration at this time,

S. C. R. No. 31, Relating to adopting State song.

Whereas, The Thirty-ninth Legislature in the regular term of January, 1925, did authorize the adoption of a State song for the State of Texas, and did name a committee of seven members, three from the Senate and four from the House, to make a selection of the same; and

Whereas, Said songs with the music therefor were submitted in great numbers and all were eliminated but six; and

Whereas, This committee reported on March 18, 1925, and recommended that one song of the six be selected at the following session of the Legislature; therefore, be it

Resolved, That the Fortieth Legislature do carry out the expressed wishes of this committee and proceed toward adopting a State song by empowering a joint committee of seven, four from the House and three from the Senate, to select one from these six, or take such other action as they deem best, and to recommend the same to the Legislature for adoption, the same to be hereafter known as the adopted song for the State of Texas.

The resolution was read second time.

Mr. Purl moved that further consideration of the resolution be postponed indefinitely.

Mr. Wallace of Freestone moved to table the motion, and the motion to table was lost.

Question then recurring on the motion to postpone indefinitely, it was lost.

Mr. Wallace of Freestone offered the following substitute for the resolution:

Whereas, The Thirty-ninth Legislature in the regular term of January, 1925, did authorize the adoption of a State song for the State of Texas, and did name a committee of seven members, three from the Senate and four from the House, to make a selection of the same; and

Whereas, Said songs with the music therefor, were submitted in great numbers and all were eliminated but six; and

Whereas, This committee reported on March 18, 1925, and recommended that one song out of the six be selected at the following session of the Legislature; therefore, be it

Resolved, That the Fortieth Legislature do carry out the expressed wishes of this committee and proceed toward adopting a State song by empowering a joint committee of seven, four from the House and three from the Senate, to select one from these six or take such other action as to them may seem best, and to recommend the same to the Legislature for adoption, the same to be hereafter known as the adopted song for the State of Texas.

Question recurring on the substituted resolution, yeas and nays were demanded.

The substitute resolution was adopted by the following vote:

Yeas—75.

Mr. Speaker.	Kemble.
Acker.	Kennedy.
Albritton.	Kincaid.
Alexander.	King of Hopkins.
Bass.	Kirby.
Black.	Kirkland.
Bonham.	Land.
Branch.	Loftin.
Brice.	Long.
Cornwell.	Montgomery.
Cox.	Moursund.
Enderby.	Murphy.
Farrar.	Nabors.
Faulk.	Olsen.
Finlay.	Parish of Runnels.
Fly.	Parrish of Travis.
Forbes.	Pavlica.
Foster.	Pearce.
Fuchs.	Petsch.
Graves.	Porter.
Gray.	Purl.
Hagaman.	Ramsey.
Harding.	Reagan.
High.	Renfro of Mills.
Holder.	Rogers of Hays.
Holland.	Rogers of Shelby.
Johnson.	Rowell.
Jones.	Sanders.

Satterwhite.	Van Zandt.
Shaver.	Veatch.
Shearer.	Wallace
Shirley.	of Freestone.
Sinks.	Wallace of Panola.
Smith of Atascosa.	Wallace of Smith.
Smith of Nueces.	Williams
Smith of Smith.	of Sabine.
Storey.	Woodall.
Taylor.	Young.
Turner.	

## Nays—28.

Anderson.	Poage.
Avis.	Pope.
Barnett.	Sheats.
Bateman.	Snelgrove.
Bird.	Stell.
Conway.	Stout.
Davis.	Walker.
Eickenroht.	Ware.
Gilbert.	Wassell.
Hefley.	Webb.
Jacks.	Whitaker.
Kayton.	Williams
Kenyon.	of Travis.
McGill.	Woodruff.
Nicholson.	

## Present—Not Voting.

Hornaday.	Smith of El Paso.
Keeton.	

## Absent.

Barron.	McCombs.
Beck.	Merritt.
Boggs.	Minor.
Boon.	Morse.
Brown.	Powell.
Cummings.	Rawlins.
Daniel.	Renfro
DeBerry.	of Angelina.
Denman.	Runge.
Dielmann.	Simmons.
Dunlap.	Smyth.
Duvall.	Stevenson.
Gates.	Sutton.
Gibson.	Swain.
Hall.	Teer.
Harman.	Tillotson.
Hogg.	Waddell.
Lipscomb.	Wells.
Loy.	Williamson.
Masterson.	

## Absent—Excused.

Justice.	Kinnear.
King of	McKean.
Throckmorton.	Pool.

Question then recurring on the resolution, as substituted, yeas and nays were demanded.

The resolution, as substituted, was then adopted by the following vote:

## Yeas—64.

Mr. Speaker.	Montgomery.
Acker.	Moursund.
Albritton.	Murphy.
Bass.	Olsen.
Black.	Parrish of Travis.
Branch.	Pavlica.
Brice.	Pearce.
Brown.	Purl.
Cox.	Ramsey.
Enderby.	Renfro of Mills.
Farrar.	Rogers of Hays.
Faulk.	Rowell.
Finlay.	Sanders.
Fly.	Satterwhite.
Forbes.	Shaver.
Fuchs.	Shearer.
Graves.	Shirley.
Gray.	Sinks.
Hagaman.	Smith of Nueces.
Hall.	Smith of Smith.
Harding.	Storey.
High.	Swain.
Holder.	Taylor.
Jones.	Turner.
Kemble.	Veatch.
Kennedy.	Wallace
Kincaid.	of Freestone.
King of Hopkins.	Wallace of Panola.
Kirby.	Williams
Kirkland.	of Sabine.
Land.	Woodall.
Loftin.	Young.
Long.	

## Nays—33.

Anderson.	Pope.
Avis.	Reagan.
Barnett.	Rogers of Shelby.
Bateman.	Sheats.
Bird.	Smith of Atascosa.
Conway.	Snelgrove.
Cornwell.	Stell.
Davis.	Stout.
Gilbert.	Van Zandt.
Hefley.	Walker.
Hornaday.	Ware.
Jacks.	Webb.
Kayton.	Wells.
Kenyon.	Whitaker.
McGill.	Williams
Nicholson.	of Travis.
Parish of Runnels.	Woodruff.

## Present—Not Voting:

Eickenroht.	Smith of El Paso.
Keeton.	

## Absent.

Alexander.	Daniel.
Barron.	DeBerry.
Beck.	Denman.
Boggs.	Dunlap.
Bonham.	Durham.
Boon.	Duvall.
Cummings.	Foster.

Gates.	Porter.
Gibson.	Powell.
Harman.	Rawlins.
Hogg.	Renfro
Holland.	of Angelina.
Johnson.	Runge.
Lipscomb.	Simmons.
Loy.	Smyth.
Masterson.	Stevenson.
McCombs.	Sutton.
Merritt.	Teer.
Minor.	Tillotson.
Morse.	Waddell.
Nabors.	Wassell.
Petsch.	Williamson.
Poage.	

Absent—Excused.

Justice.	Kinnear.
King of	McKean.
Throckmorton.	Pool.

#### SENATE BILL NO. 222 ON SECOND READING.

On motion of Mr. Hogg, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 222, A bill to be entitled "An Act relative to leasing certain State lands in Harris county."

The Speaker laid the bill before the House and it was read second time.

Mr. Farrar offered the following amendment to the bill:

Amend Senate bill No. 222 by inserting in Section 1 after the word "Texas," in line 7, the following words: "To that strip of land 500 feet wide and 200 feet abutting same on the east," designated in Section 1a herein as included in this amendment and which is to be inserted as a new section immediately following Section 1, and strike out the words "to all" immediately following the word "Texas," in line 7, and insert immediately following the words hereinabove written to be inserted after the word "Texas" the following words: "to be located within the"; also insert Section 1a immediately following Section 1, as follows:

"Section 1a. The strip of land, title to which is granted as provided in Section 1, is described as follows: A strip of land to be designated and the field notes filed with the Secretary of State within one year after the passage of this act by the grantee, which strip of land shall be 500 feet wide through the lands described in Section 1 herein, as may be selected by the grantee in which to construct a deeper and wider

channel through the land described in Section 1 herein; provided, however, that said 500 feet wide shall be so selected that the west bank of said channel shall abut upon lands not herein granted, and all such abutting lands abutting on the west bank of said proposed channel is not granted in any manner but is retained by the State; and there is further granted to the grantee a strip of land immediately abutting on said 500 feet along the east line of said 500-foot strip an addition 200 feet in width; and it is further made a condition of this grant that the State of Texas shall have power to assess and collect taxes upon all improvements placed upon the lands herein granted and such franchise and gross receipts taxes and income taxes as may from time to time be fixed by law in this State. The right is further granted to the grantee herein to deposit upon any of the islands and submerged lands described in Section 1 hereof the spoils and substances produced by dredging, constructing and excavating the channel herein provided for for a period of ten years from this date."

Mr. Woodruff moved the previous question on the pending amendment and the bill, and the main question was ordered.

(Mr. Swain in the chair.)

Question first recurring on the amendment by Mr. Farrar, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—24.

Alexander.	Kirkland.
Barron.	Merritt.
Bass.	Olsen.
Black.	Pavlica.
DeBerry.	Pearce.
Enderby.	Poage.
Farrar.	Shirley.
Gray.	Snelgrove.
Hall.	Stell.
Kennedy.	Stout.
Kenyon.	Swain.
King of Hopkins.	Walker.

Nays—92.

Mr. Speaker.	Bonham.
Acker.	Branch.
Albritton.	Brice.
Anderson.	Brown.
Avis.	Conway.
Barnett.	Cornwell.
Bird.	Cox.
Boggs.	Davis.

Dielmann.	Porter.
Dunlap.	Purl.
Eickenroht.	Ramsey.
Faulk.	Rawlins.
Fly.	Reagan.
Forbes.	Rogers of Hays.
Foster.	Rowell.
Fuchs.	Sanders.
Gilbert.	Satterwhite.
Graves.	Shaver.
Hagaman.	Shearer.
Harding.	Sheats.
Harman.	Simmons.
High.	Sinks.
Hogg.	Smith of Nueces.
Holder.	Smith of Smith.
Holland.	Smyth.
Hornaday.	Storey.
Jacks.	Sutton.
Johnson.	Taylor.
Jones.	Teer.
Kayton.	Tillotson.
Kemble.	Turner.
Kirby.	Veatch.
Land.	Waddell.
Lipscomb.	Wallace
Loftin.	of Freestone.
Long.	Wallace of Panola.
Loy.	Wallace of Smith.
McGill.	Ware.
McKean.	Wassell.
Montgomery.	Wells.
Morse.	Whitaker.
Moursund.	Williams
Murphy.	of Sabine.
Nabors.	Williams
Nicholson.	of Travis.
Parish of Runnels.	Woodruff.
Parrish of Travis.	Young.
Pope.	

Absent.

Bateman.	Minor.
Beck.	Petsch.
Boon.	Powell.
Cummings.	Renfro
Daniel.	of Angelina.
Denman.	Renfro of Mills.
Duvall.	Rogers of Shelby
Finlay.	Runge.
Gates.	Smith of Atascosa.
Gibson.	Smith of El Paso.
Hefley.	Stevenson.
Keeton.	Van Zandt.
Kincaid.	Webb.
Masterson.	Williamson.
McCombs.	Woodall.

Absent—Excused.

Justice.	Kinnear.
King of	Pool.
Throckmorton.	

Question recurring on the passage of the bill to third reading, yeas and nays were demanded.

Senate bill No. 222 was then passed to third reading by the following vote:

Yeas—98.

Mr. Speaker.	Moursund.
Acker.	Murphy.
Albritton.	Nabors.
Alexander.	Nicholson.
Anderson.	Parrish of Travis.
Barnett.	Parish of Runnels.
Bird.	Pearce.
Boggs.	Petsch.
Bonham.	Pope.
Branch.	Porter.
Brice.	Purl.
Brown.	Ramsey.
Conway.	Rawlins.
Cornwell.	Reagan.
Cox.	Rogers of Hays.
Daniel.	Rowell.
Davis.	Sanders.
Dielmann.	Satterwhite.
Dunlap.	Shaver.
Faulk.	Shearer.
Fly.	Sheats.
Forbes.	Shirley.
Foster.	Simmons.
Fuchs.	Sinks.
Graves.	Smith of Atascosa.
Hagaman.	Smith of Nueces.
Harding.	Smith of Smith.
Harman.	Smyth.
High.	Storey.
Hogg.	Sutton.
Holder.	Taylor.
Holland.	Teer.
Hornaday.	Tillotson.
Jacks.	Turner.
Johnson.	Van Zandt.
Jones.	Veatch.
Kayton.	Waddell.
Kemble.	Wallace
Kincaid.	of Freestone.
King of Hopkins.	Wallace of Panola.
Kirby.	Ware.
Land.	Wassell.
Lipscomb.	Wells.
Loftin.	Whitaker.
Long.	Williams
Loy.	of Sabine.
McGill.	Williams
McKean.	of Travis.
Montgomery.	Young.
Morse.	

Nays—20.

Barron.	Kirkland.
Bass.	Olsen.
Black.	Pavlica.
DeBerry.	Poage.
Enderby.	Snelgrove.
Farrar.	Stell.
Gilbert.	Stout.
Gray.	Swain.
Kennedy.	Walker.
Kenyon.	Woodruff.

## Present—Not Voting.

Eickenroht.  
Finlay.Hall.  
Merritt.

## Absent.

Avis.	Minor.
Bateman.	Powell.
Beck.	Renfro
Boon.	of Angelina.
Cummings.	Renfro of Mills.
Denman.	Rogers of Shelby.
Duvall.	Runge.
Gates.	Smith of El Paso.
Gibson.	Stevenson.
Hefley.	Webb.
Keeton.	Williamson.
Masterson.	Woodall.
McCombs.	

## Absent—Excused.

Justice.	Kinnear.
King of	Pool.
Throckmorton.	

(Speaker in the chair.)

SENATE BILL NO. 222 ON THIRD  
READING.

Mr. Hogg moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 222 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101.

Mr. Speaker.	Hagaman.
Acker.	Hall.
Alexander.	Harding.
Anderson.	Harman.
Avis.	High.
Barnett.	Hogg.
Bird.	Holder.
Boggs.	Holland.
Bonham.	Hornaday.
Branch.	Jacks.
Brice.	Johnson.
Brown.	Jones.
Conway.	Kayton.
Cornwell.	Kemble.
Cox.	Kincaid.
Daniel.	King of Hopkins.
Davis.	Kirby.
Dielmann.	Kirkland.
Dunlap.	Land.
Eickenroht.	Lipscomb.
Faulk.	Loftin.
Finlay.	Long.
Fly.	Loy.
Forbes.	McGill.
Foster.	McKean.
Fuchs.	Merritt.
Graves.	Montgomery.

Morse.	Smith of Atascosa.
Moursund.	Smith of Nueces.
Murphy.	Smith of Smith.
Nabors.	Smyth.
Nicholson.	Storey.
Parish of Runnels.	Sutton.
Parrish of Travis.	Swain.
Pearce.	Taylor.
Petsch.	Teer.
Pope.	Tillotson.
Porter.	Turner.
Purl.	Veatch.
Ramsey.	Waddell.
Rawlins.	Wallace
Reagan.	of Freestone.
Rogers of Hays	Wallace of Smith.
Rowell.	Ware.
Sanders.	Whitaker.
Satterwhite.	Williams
Shaver.	of Sabine.
Shearer.	Williams
Sheats.	of Travis.
Shirley.	Woodruff.
Simmons.	Young.
Sinks.	

## Nays—18.

Albritton.	Kennedy.
Barron.	Kenyon.
Bass.	Olsen.
Black.	Pavlica.
DeBerry.	Snelgrove.
Enderby.	Stell.
Farrar.	Stout.
Gilbert.	Walker.
Gray.	Wassell.

## Absent.

Bateman.	Powell.
Beck.	Renfro
Boon.	of Angelina.
Cummings.	Renfro of Mills.
Denman.	Rogers of Shelby.
Duvall.	Runge.
Gates.	Smith of El Paso.
Gibson.	Stevenson.
Hefley.	Van Zandt.
Keeton.	Wallace of Panola.
Masterson.	Webb.
McCombs.	Wells.
Minor.	Williamson.
Poage.	Woodall.

## Absent—Excused.

Justice.	Kinnear.
King of	Pool.
Throckmorton.	

The Speaker then laid Senate bill No. 222 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—99.

Mr. Speaker.	Acker.
--------------	--------

Albritton.	Morse.
Alexander.	Moursund.
Anderson.	Murphy.
Avis.	Nabors.
Barnett.	Nicholson.
Bird.	Parish of Runnels.
Boggs.	Parrish of Travis.
Bonham.	Pearce.
Branch.	Petsch.
Brice.	Pope.
Brown.	Porter.
Conway.	Powell.
Cornwell.	Purl.
Cox.	Ramsey.
Daniel.	Rawlins.
Davis.	Reagan.
Dielmann.	Rogers of Hays.
Dunlap.	Rowell.
Eickenroht.	Sanders.
Faulk.	Satterwhite.
Finlay.	Shaver.
Fly.	Shearer.
Forbes.	Sheats.
Foster.	Shirley.
Fuchs.	Simmons.
Graves.	Sinks.
Hagaman.	Smith of Atascosa.
Harding.	Smith of Nueces.
Harman.	Smith of Smith.
High.	Smyth.
Hogg.	Storey.
Holder.	Sutton.
Holland.	Taylor.
Hornaday.	Teer.
Jacks.	Tillotson.
Johnson.	Turner.
Jones.	Van Zandt.
Kemble.	Veatch.
Kincaid.	Waddell.
King of Hopkins.	Wallace of Panola.
Kirby.	Wallace of Smith.
Land.	Ware.
Lipscomb.	Wells.
Loftin.	Whitaker.
Long.	Williams
Loy.	of Sabine.
McGill.	Williams
McKean.	of Travis.
Montgomery.	Young.

Nays—22.

Barron.	Kirkland.
Bass.	Merritt.
Black.	Olsen.
DeBerry.	Pavlica.
Enderby.	Snelgrove.
Farrar.	Stell.
Gilbert.	Stout.
Gray.	Swain.
Hall.	Walker.
Kennedy.	Wassell.
Kenyon.	Woodruff.

Present—Not Voting.

Kayton.

Absent.

Bateman.	Poage.
Beck.	Renfro
Boon.	of Angelina.
Cummings.	Renfro of Mills.
Denman.	Rogers of Shelby.
Duvall.	Runge.
Gates.	Smith of El Paso.
Gibson.	Stevenson.
Hefley.	Wallace
Keeton.	of Freestone.
Masterson.	Webb.
McCombs.	Williamson.
Minor.	Woodall.

Absent—Excused.

Justice.	Kinnear.
King of	Pool.
Throckmorton.	

Mr. Holland moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

#### HOUSE JOINT RESOLUTION NO. 20 WITH SENATE AMENDMENTS.

Mr. Moursund called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. J. R. No. 20, To amend the Constitution relative to the taxation of church property.

The Speaker laid the resolution before the House and the Senate amendments were read.

On motion of Mr. Moursund, the House concurred in the Senate amendments by the following vote:

Yeas—100.

Mr. Speaker.	Eickenroht.
Acker.	Faulk.
Albritton.	Fly.
Alexander.	Forbes.
Avis.	Foster.
Barnett.	Fuchs.
Bird.	Gilbert.
Boggs.	Graves.
Bonham.	Gray.
Branch.	Hagaman.
Brice.	Harding.
Brown.	Harman.
Conway.	High.
Cornwell.	Hogg.
Daniel.	Holder.
Davis.	Holland.
DeBerry.	Hornaday.
Dielmann.	Jacks.
Dunlap.	Johnson.
Enderby.	Jones.

Kayton.	Shaver.
Kemble.	Shearer.
Kennedy.	Sheats.
Kenyon.	Shirley.
Kincaid.	Simmons.
King of Hopkins.	Sinks.
Kirby.	Smith of Atascosa.
Kirkland.	Smith of Nueces.
Land.	Smyth.
Lipscomb.	Snelgrove.
Loftin.	Storey.
Long.	Sutton.
Loy.	Swain.
McGill.	Taylor.
McKean.	Teer.
Montgomery.	Tillotson.
Morse.	Turner.
Moursund.	Van Zandt.
Murphy.	Veatch.
Nabors.	Waddell.
Olsen.	Wallace
Parish of Runnels.	of Freestone.
Parrish of Travis.	Wallace of Panola.
Pavlica.	Wallace of Smith.
Petsch.	Wassell.
Pope.	Wells.
Porter.	Williams
Purl.	of Sabine.
Ramsey.	Williams
Rawlins.	of Travis.
Rogers of Hays.	Woodruff.
Sanders.	Young.
Satterwhite.	

Nays—14.

Bass.	Poage.
Black.	Reagan.
Finlay.	Stout.
Merritt.	Walker.
Nicholson.	Ware.
Pearce.	Whitaker.

Absent.

Barron.	Minor.
Bateman.	Powell.
Beck.	Renfro
Boon.	of Angelina.
Cox.	Renfro of Mills.
Cummings.	Rogers of Shelby.
Denman.	Rowell.
Duvall.	Runge.
Farrar.	Smith of El Paso.
Gates.	Smith of Smith.
Gibson.	Stell.
Hall.	Stevenson.
Hefley.	Webb.
Keeton.	Williamson.
Masterson.	Woodall.
McCombs.	

Absent—Excused.

Anderson.	Kinnear.
Justice.	Pool.
King of	
Throckmorton.	

# COMMUNICATION FROM MR. W. P. DUMAS.

The following communication was ordered printed in the Journal:

March 8, 1927.

Hon. Claude Pollard, Attorney General,  
Austin, Texas.

Dear Mr. Pollard: Referring to our 'phone conversation of yesterday, in which you stated that certain members of the House of Representatives have requested you for a written opinion on the power of the Legislature to pass the tax remission laws relative to the two reclamation districts in Tarrant and in Dallas county. You have requested me to submit to you a brief and authorities in reference to the authority of the Legislature to enact these proposed laws.

Section 10, of Article 11, of the Constitution, provides:

"The Legislature shall have no power to release the inhabitants of or property in any county, city or town, from the payment of taxes levied for State or county purposes, unless in case of great public calamity in any such county, city or town, when such release may be made by a vote of two-thirds of each house of the Legislature."

As to whether or not a "great public calamity" exists is a question solely for the Legislature to determine. In 28 S. W., 786, the court reaffirmed the principle that the wisdom or policy of a law is a matter of purely legislative cognizance.

Section 10 of Article 8 is a prohibitive section, and no taxes can be released except in cases of "great public calamity," and then only upon two-thirds vote of the Legislature. Why the requirement of a two-thirds vote? Undoubtedly because the framers of that section knew that the facts justifying such release of taxes should be convincing and that more than a majority must be of the opinion that the relief should be granted.

The bills here discussed set out in a preamble certain findings of facts as to why the releases should be made. Such findings show that for a long period of years that section of the State has been damaged by calamitous overflows.

By the Constitution of 1869 (Section 19, Article 12), property could be exempted from taxation, upon a two-thirds vote of the Legislature. (Gam-

mel's Laws, Vol. 7, page 422.) This shows that under the authority to exempt taxes it was necessary for the Legislature to investigate the facts and determine whether or not the property in any one particular instance should be exempt from taxation.

Judge Greenwood's opinion in the Aransas Pass case, in discussing the bill, shows that the Legislature considered the facts in that particular case. That bill covered a situation that was a permanent status. Is not destruction of life and property by the unexpected overflow waters of a treacherous river just as much a public calamity as a storm on the Gulf coast? One overflow may be greater than others. One Gulf storm may be more severe than others. Both would be, and are, public calamities, and provision for proper protection from both is made in the Constitution, subject always to a determination of the facts by the Legislature.

Cooley on Taxation, Section 659, provides that the right of a State government, through its Legislature when not restricted by constitutional provisions, to limit its power of taxation is a doctrine too firmly established to admit of discussion. The Legislature has the power to exempt from taxation any person, corporation or class of property, according to its views of public policy or expediency, provided always that no constitutional provisions are violated.

As to a definition of the term "great public calamity." The words "great" and "public" are to be given their usual and ordinary meaning. No better definition of the word "calamity" can be found outside Corpus Juris, viz.: "Any occurrence, especially when sudden and unexpected, that causes great or widespread distress, trouble, or affliction to individuals or to the community, as the failure of crops, an earthquake, the devastation of war or plague, or an extensive fire or flood." (9 C. J., 1116.)

The San Francisco earthquake, in 1906, was a calamity. Washington, etc., vs. Miller, 96 Pac., 22.

Competent engineers tell us that a recurrence of the flood of 1908 at Dallas, by reason of changed conditions, would throw the force of the flood on the business district of the city of Dallas.

In *Mott vs. Boyd*, 286 S. W., 470, the Supreme Court said: "It would be idle

to say that the right of the State to prevent overflow can only begin when the stream is in flood-tide, for when it reaches that stage overflows cannot be prevented."

"The principle of contemporaneous construction may be applied to the construction given by the Legislature to the constitutional provisions dealing with legislative powers and procedure. Though not conclusive, such interpretation is generally conceded as being entitled to great weight, and should not be departed from unless manifestly erroneous. Any exercise of power by the Legislature, which for a long time has passed unchallenged, must be deemed to have been approved by the people unless forbidden by some subsequent constitutional provision." 6 R. C. L., Sec. 61, p. 64.

That construction which has been uniformly given to a section of the Constitution by the Legislature is entitled to great weight. *Bogby vs. Bateman*, 50 Texas, 446.

The Conservation Amendment (Art. 16, Sec. 59) declares that the reclamation of overflowed lands is not only a public right, but also a public duty, and that "the Legislature shall pass all such laws as may be appropriate thereto."

In this connection, I think it proper to state that in the passage of these proposed laws the Fortieth Legislature will follow the same course pursued by other and previous Legislatures. See Ch. 8, Gen. Laws, Twenty-eighth Legislature, Regular Session (remitting taxes to city of Galveston); Ch. 32, Gen. Laws, Thirty-fifth Legislature, Regular Session (remitting taxes to city of Galveston); Ch. 61, Gen. Laws, Thirty-fifth Legislature, Regular Session (remitting certain taxes to Paris and Lamar county); and Ch. 116, Gen. Laws, Thirty-fifth Legislature, Regular Session (remitting taxes to the city of Corpus Christi), Ch. 48, Gen. Laws of the Second Called Session of the Thirty-eighth Legislature (releasing taxes in Wharton county and in certain portions of Matagorda county). And also the tax remission or release acts passed remitting taxes in Nueces county and other counties adjacent thereto; and also the recent acts releasing taxes in Cameron county and in Hidalgo county.

The Legislative Department is never put to the necessity of pointing to specific constitutional authorization upon all its enactments. Absent a constitutional restriction upon its powers, it may certainly legislate as its wills, sub-

ject only to the limitations imposed by the Constitution of the United States.

So, there being no constitutional prohibition, I think that if the evidence submitted to the Legislature by these reclamation districts in Tarrant and Dallas counties is sufficient to show that the relief requested would be to the best interests of the State, and the Legislature is satisfied that existing conditions will warrant granting the desired relief, there is nothing in the Constitution to prohibit the enactment of the proposed laws.

Respectfully submitted,

(Signed) W. P. DUMAS.

#### HOUSE BILL NO. 451 ON THIRD READING.

On motion of Mr. Shearer, the regular order of business was suspended to take up and have placed on its third reading and final passage,

H. B. No. 451, A bill to be entitled "An Act in the interest of maternity and infancy welfare and hygiene, accepting the provisions of an act of the United States Congress approved December 23, 1921, as amended by the Sixty-ninth Congress by an act approved January 22, 1927, and entitled 'An Act for the promotion of the welfare and hygiene of maternity and infancy and for other purposes,' commonly known as the 'Shepard-Towner Act'; providing that the work shall be carried on through the State Board of Health, through its Bureau of Child Hygiene, and declaring an emergency."

The Speaker laid the bill before the House and it was read third time.

Mr. Stout offered the following amendment to the bill:

Amend House bill No. 451 by striking out the enacting clause.

Mr. Young moved the previous question on the pending amendment and the main question was ordered.

Question first recurring on the amendment by Mr. Stout, yeas and nays were demanded.

The amendment lost by the following vote:

Yeas—27.

Acker.	Gibson.
Bird.	Gray.
Cornwell.	Kirby.
Dielmann.	Loftin.
Enderby.	Long.
Eickenroht.	Murphy.
Faulk.	Nicholson.

Olsen.  
Pavlica.  
Powell.  
Reagan.  
Sinks.  
Smyth.  
Storey.

Stout.  
Tillotson.  
Turner.  
Walker.  
Webb.  
Whitaker.

Nays—93.

Mr. Speaker.  
Albritton.  
Alexander.  
Anderson.  
Avis.  
Barnett.  
Barron.  
Bass.  
Bateman.  
Black.  
Boggs.  
Bonham.  
Boon.  
Branch.  
Brice.  
Brown.  
Conway.  
Cox.  
Daniel.  
Davis.  
Dunlap.  
Farrar.  
Finlay.  
Forbes.  
Foster.  
Fuchs.  
Gilbert.  
Graves.  
Hagaman.  
Hall.  
Harding.  
Harman.  
High.  
Holder.  
Hornaday.  
Jacks.  
Jones.  
Kayton.  
Keeton.  
Kemble.  
Kennedy.  
Kenyon.  
Kincaid.  
King of Hopkins.  
King of Throckmorton.  
Kirkland.  
Land.

Lipscomb.  
Loy.  
McGill.  
McKean.  
Merritt.  
Montgomery.  
Moursund.  
Parish of Runnels.  
Parrish of Travis.  
Pearce.  
Petsch.  
Poage.  
Pope.  
Porter.  
Purl.  
Ramsey.  
Rawlins.  
Rogers of Hays.  
Rogers of Shelby.  
Rowell.  
Sanders.  
Satterwhite.  
Shaver.  
Shearer.  
Sheats.  
Shirley.  
Simmons.  
Smith of Atascosa.  
Smith of Nueces.  
Smith of Smith.  
Snelgrove.  
Stell.  
Swain.  
Teer.  
Van Zandt.  
Veatch.  
Waddell.  
Wallace  
of Freestone.  
Wallace of Panola.  
Wallace of Smith.  
Ware.  
Wassell.  
Wells.  
Williams  
of Sabine.  
Williamson.  
Young.

Absent.

Beck.  
Cummings.  
DeBerry.  
Denman.  
Duvall.  
Fly.  
Gates.

Hefley.  
Hogg.  
Holland.  
Johnson.  
Masterson.  
McCombs.  
Minor.

Morse.	Stevenson.
Nabors.	Sutton.
Renfro	Taylor.
of Angelina.	Williams
Renfro of Mills.	of Travis.
Runge.	Woodall.
Smith of El Paso.	Woodruff.

Absent—Excused.

Justice.	Pool.
Kinnear.	

House bill No. 451 was then finally passed by the following vote:

Yeas—81.

Mr. Speaker.	Lipscomb.
Alexander.	Loy.
Anderson.	McGill.
Barnett.	Montgomery.
Barron.	Moursund.
Bass.	Parish of Runnels.
Bateman.	Parrish of Travis.
Black.	Pearce.
Boggs.	Petsch.
Bonham.	Poage.
Branch.	Pope.
Brown.	Porter.
Conway.	Ramsey.
Cox.	Rawlins.
Daniel.	Rogers of Hays.
Davis.	Rogers of Shelby.
Dunlap.	Rowell.
Farrar.	Satterwhite.
Finlay.	Shaver.
Forbes.	Shearer.
Foster.	Sheats.
Gilbert.	Shirley.
Graves.	Simmons.
Hagaman.	Smith of Atascosa.
Hall.	Smith of Nueces.
Harding.	Smith of Smith.
Harman.	Smyth.
High.	Snelgrove.
Holder.	Swain.
Hornaday.	Teer.
Jacks.	Waddell.
Jones.	Wallace
Keeton.	of Freestone.
Kemble.	Wallace of Panola.
Kennedy.	Wallace of Smith.
Kenyon.	Wells.
Kincaid.	Whitaker.
King of Hopkins.	Williams
King of	of Sabine.
Throckmorton.	Williamson.
Kirkland.	Young.
Land.	

Nays—41.

Acker.	Brice.
Albritton.	Cornwell.
Avis.	DeBerry.
Bird.	Dielmann.
Boon.	Enderby.

Eickenroht.	Purl.
Faulk.	Reagan.
Gray.	Sanders.
Johnson.	Sinks.
Kayton.	Stell.
Kirby.	Storey.
Loftin.	Stout.
Long.	Tillotson.
McKean.	Turner.
Merritt.	Van Zandt.
Murphy.	Veatch.
Nabors.	Walker.
Nicholson.	Ware.
Olsen.	Wassell.
Pavlica.	Webb.
Powell.	

Present—Not Voting.

Fuchs.

Absent.

Beck.	Morse.
Cummings.	Renfro
Denman.	of Angelina.
Duvall.	Renfro of Mills.
Fly.	Runge.
Gates.	Smith of El Paso.
Gibson.	Stevenson.
Hefley.	Sutton.
Hogg.	Taylor.
Holland.	Williams
Masterson.	of Travis.
McCombs.	Woodall.
Minor.	Woodruff.

Absent—Excused.

Justice.	Pool.
Kinnear.	

## HOUSE BILL NO. 475 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 475, A bill to be entitled "An Act to amend Article 3092 (3093) of the Revised Statutes of the State of Texas for 1925, fixing in counties having a population of more than 70,000 and less than 100,000, as shown by the latest United States census, and containing a city of more than 37,500 population as shown by said United States census, and composing two or more judicial districts with courts of general jurisdiction and having no district attorney, the maximum compensation to be paid to first assistants, heads of departments and other assistants to the office of county attorney in such counties, and providing for the allowing of such compensation and the manner of the payment thereof, by adding Sec-

tion 3902b (3903b); and to amend Article 3902 (3903) of the Revised Statutes of the State of Texas for 1925, fixing in counties having a population of more than 70,000 and less than 100,000 as shown by the latest United States census, and containing a city of more than 37,500 population, as shown by said United States census and composing two or more judicial districts with courts of general jurisdiction, and the maximum compensation to be paid to first assistants or deputies, heads of departments named in Article 3883, except the office of county attorney, in such counties, and providing for the allowing of such compensation and the manner of the payment thereof, by adding Section 3902c (3903c); repealing all laws and parts of laws in conflict with the amendments herewith provided for, and declaring an emergency."

The bill was read second time.

Mr. Reagan offered the following amendment to the bill:

Amend House bill No. 475, page 1, Section 1, by striking out the following in line 37: "A city of more than 37,500 population," and insert in lieu thereof the following: "Two or more cities of more than 20,000 population each," and by striking out on pages 2 and 3, all of Section 2; and by striking out in Section 4, beginning with the word "assistants" in line 8, page 3, down to and including the word "population" in line 12, and insert in lieu thereof the following: "Assistant county attorneys in counties having a population of more than 70,000 and less than 100,000, and containing two or more cities of more than 20,000 population each."

The amendment was adopted.

Mr. Reagan offered the following amendment to the bill:

Amend the caption to House bill No. 475, by striking out the following: "a city of more than 37,500," and insert in lieu thereof: "two or more cities of more than 20,000 each," and by striking out all after the figures and letter "3903b" in line 18, down to and including the figures and letter "3903c" in line 30.

The amendment was adopted.

House bill No. 475 was then passed to engrossment.

#### HOUSE BILL NO. 475 ON THIRD READING.

Mr. Reagan moved that the constitutional rule requiring bills to be read on

three several days be suspended and that House bill No. 475 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—97.

Mr. Speaker.	McKean.
Alexander.	Merritt.
Anderson.	Montgomery.
Avis.	Moursund.
Barron.	Murphy.
Bass.	Nicholson.
Bateman.	Parish of Runnels.
Bird.	Pavlica.
Black.	Pearce.
Boggs.	Pope.
Bonham.	Porter.
Boon.	Powell.
Branch.	Purl.
Brice.	Ramsey.
Brown.	Rawlins.
Cornwell.	Reagan.
Daniel.	Rogers of Hays.
DeBerry.	Rogers of Shelby.
Dielmann.	Sanders.
Dunlap.	Satterwhite.
Enderby.	Shaver.
Farrar.	Sheats.
Faulk.	Shirley.
Finlay.	Simmons.
Forbes.	Sinks.
Foster.	Smith of Atascosa.
Fuchs.	Smith of Nueces.
Gilbert.	Smith of Smith.
Graves.	Smyth.
Gray.	Snelgrove.
Hall.	Stell.
Harding.	Storey.
Harman.	Stout.
High.	Swain.
Holder.	Taylor.
Hornaday.	Turner.
Jacks.	Van Zandt.
Johnson.	Veatch.
Keeton.	Waddell.
Kenyon.	Wallace of Panola.
King of Hopkins.	Wallace of Smith.
King of Throckmorton.	Ware.
Kirby.	Wassell.
Kirkland.	Webb.
Land.	Whitaker.
Lipscomb.	Williams
Loftin.	of Sabine.
Long.	Williamson.
Loy.	Woodall.
McGill.	Woodruff.
	Young.

Nays—6.

Albritton.	Kennedy.
Barnett.	Kincaid.
Davis.	Walker.

Absent.

Acker.	Beck.
--------	-------

Conway.	Olsen.
Cox.	Parrish of Travis.
Cummings.	Petsch.
Denman.	Poage.
Duvall.	Renfro
Eickenroht.	of Angelina.
Fly.	Renfro of Mills.
Gates.	Rowell.
Gibson.	Runge.
Hagaman.	Shearer.
Hefley.	Smith of El Paso.
Hogg.	Stevenson.
Holland.	Sutton.
Jones.	Teer.
Kayton.	Tillotson.
Kemble.	Wallace
Masterson.	of Freestone.
McCombs.	Wells.
Minor.	Williams
Morse.	of Travis.
Nabors.	

Absent—Excused.

Justice.	Pool.
Kinnear.	

The Speaker then laid House bill No. 475 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—100.

Mr. Speaker.	Harman.
Albritton.	High.
Alexander.	Holder.
Anderson.	Hornaday.
Avis.	Jacks.
Barron.	Johnson.
Bass.	Jones.
Bateman.	Kayton.
Bird.	Keeton.
Boggs.	Kenyon.
Bonham.	King of Hopkins.
Branch.	King of
Brice.	Throckmorton.
Brown.	Kirby.
Conway.	Kirkland.
Cornwell.	Land.
Cox.	Loftin.
Daniel.	Long.
DeBerry.	McGill.
Dielmann.	McKean.
Dunlap.	Merritt.
Enderby.	Montgomery.
Faulk.	Moursund.
Finlay.	Murphy.
Fly.	Olsen.
Forbes.	Pavlica.
Foster.	Pearce.
Fuchs.	Poage.
Gilbert.	Pope.
Graves.	Porter.
Gray.	Powell.
Hall.	Purl.
Harding.	Ramsey.

Rawlins.	Stout.
Reagan.	Swain.
Rogers of Hays.	Taylor.
Rogers of Shelby.	Tillotson.
Rowell.	Turner.
Sanders.	Van Zandt.
Satterwhite.	Waddell.
Shaver.	Wallace of Panola.
Shearer.	Wallace of Smith.
Sheats.	Ware.
Shirley.	Wassell.
Simmons.	Webb.
Sinks.	Whitaker.
Smith of Atascosa.	Williams
Smith of Nueces.	of Sabine.
Smith of Smith.	Williamson.
Smyth.	Woodall.
Snelgrove.	Woodruff.
Stell.	Young.
Storey.	

Nays—7.

Barnett.	Kincaid.
Black.	Parish of Runnels.
Davis.	Walker.
Kennedy.	

Present—Not Voting.

Boon.

Absent.

Acker.	Morse.
Beck.	Nabors.
Cummings.	Nicholson.
Denman.	Parrish of Travis.
Duvall.	Petsch.
Eickenroht.	Renfro
Farrar.	of Angelina.
Gates.	Renfro of Mills.
Gibson.	Runge.
Hagaman.	Smith of El Paso.
Hefley.	Stevenson.
Hogg.	Sutton.
Holland.	Teer.
Kemble.	Veatch.
Lipscomb.	Wallace
Loy.	of Freestone.
Masterson.	Wells.
McCombs.	Williams
Minor.	of Travis.

Absent—Excused.

Justice.	Pool.
Kinnear.	

## HOUSE BILL NO. 641 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 641, A bill to be entitled "An Act providing for the protection of deer in Houston county for a period of five years," etc.

The bill was read second time.

Mr. Long offered the following amendment to the bill:

Amend House bill No. 641 by striking out that word in Section 3, line 22, dealing with the penalty of fifty (\$50) dollars and add in lieu thereof the words "one hundred (\$100) dollars."

The amendment was adopted.

Mr. Kirkland offered the following amendment to the bill:

Amend House bill No. 641 by adding Kaufman, Polk, Madison and San Jacinto counties, Texas.

The amendment was adopted.

House bill No. 641 was then passed to engrossment.

#### HOUSE BILL NO. 641 ON THIRD READING.

Mr. Long moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 641 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102.

Mr. Speaker.	Hall.
Alexander.	High.
Anderson.	Holder.
Avis.	Holland.
Barnett.	Hornaday.
Barron.	Jacks.
Bass.	Jones.
Bateman.	Keeton.
Bird.	Kenyon.
Black.	King of Hopkins.
Boggs.	King of
Bonham.	Throckmorton.
Boon.	Kirby.
Branch.	Kirkland.
Brice.	Land.
Conway.	Lipscomb.
Cornwell.	Loftin.
Cox.	Long.
Daniel.	McGill.
Davis.	McKean.
DeBerry.	Merritt.
Dielmann.	Montgomery.
Dunlap.	Moursund.
Enderby.	Murphy.
Farrar.	Nabors.
Faulk.	Parish of Runnels.
Finlay.	Pavlica.
Forbes.	Pearce.
Foster.	Pope.
Fuchs.	Porter.
Gibson.	Powell.
Gilbert.	Purl.
Graves.	Ramsey.
Gray.	Rawlins.
Hagaman.	Reagan.

Rogers of Hays.	Teer.
Rogers of Shelby.	Tillotson.
Rowell.	Turner.
Runge.	Van Zandt.
Sanders.	Veatch.
Satterwhite.	Wallace
Shaver.	of Freestone.
Sheats.	Wallace of Panola.
Shirley.	Wallace of Smith.
Simmons.	Ware.
Sinks.	Wassell.
Smith of Atascosa.	Webb.
Smith of Nueces.	Williams
Smyth.	of Sabine.
Snelgrove.	Williamson.
Stell.	Woodall.
Storey.	Woodruff.
Swain.	Young.
Taylor.	

Nays—6.

Albritton.	Stout.
Kennedy.	Walker.
Olsen.	Whitaker.

Absent.

Acker.	McCombs.
Beck.	Minor.
Brown.	Morse.
Cummings.	Nicholson.
Denman.	Parrish of Travis.
Duvall.	Petsch.
Eickenroht.	Poage.
Fly.	Renfro
Gates.	of Angelina.
Harding.	Renfro of Mills.
Harman.	Shearer.
Hefley.	Smith of El Paso.
Hogg.	Smith of Smith.
Johnson.	Stevenson.
Kayton.	Sutton.
Kemble.	Waddell.
Kincaid.	Wells.
Loy.	Williams
Masterson.	of Travis.

Absent—Excused.

Justice.	Pool.
Kinnear.	

The Speaker then laid House bill No. 641 before the House of its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—106.

Mr. Speaker.	Bass.
Albritton.	Bateman.
Alexander.	Bird.
Anderson.	Black.
Avis.	Boggs.
Barnett.	Bonham.
Barron.	Boon.

Branch.	Parish of Runnels.
Brice.	Pavlica.
Conway.	Pearce.
Cornwell.	Petsch.
Cox.	Pope.
Daniel.	Porter.
Davis.	Powell.
Dielmann.	Purl.
Dunlap.	Ramsey.
Enderby.	Rawlins.
Farrar.	Reagan.
Faulk.	Renfro of Mills.
Finlay.	Rogers of Hays.
Forbes.	Rogers of Shelby.
Foster.	Rowell.
Fuchs.	Sanders.
Gibson.	Satterwhite.
Gilbert.	Shaver.
Graves.	Shearer.
Gray.	Sheats.
Hagaman.	Shirley.
Hall.	Simmons.
High.	Sinks.
Holder.	Smith of Atascosa.
Holland.	Smith of Nueces.
Hornaday.	Smyth.
Jacks.	Snelgrove.
Johnson.	Storey.
Jones.	Swain.
Keeton.	Taylor.
Kennedy.	Turner.
Kenyon.	Van Zandt.
King of Hopkins.	Veatch.
King of	Walker.
Throckmorton.	Wallace
Kirby.	of Freestone.
Kirkland.	Wallace of Panola.
Land.	Wallace of Smith.
Lipscomb.	Ware.
Long.	Wassell.
McGill.	Webb.
McKean.	Williams
Merritt.	of Sabine.
Montgomery.	Williamson.
Moursund.	Woodall.
Murphy.	Woodruff.
Nabors.	Young.
Nicholson.	

Nays—4.

DeBerry.	Stout.
Olsen.	Whitaker.

Present—Not Voting.

Stell.

Absent.

Acker.	Harman.
Beck.	Hefley.
Brown.	Hogg.
Cummings.	Kayton.
Denman.	Kemble.
Duvall.	Kincaid.
Eickenroht.	Loftin.
Fly.	Loy.
Gates.	Masterson.
Harding.	McCombs.

Minor.	Stevenson.
Morse.	Sutton.
Parrish of Travis.	Teer.
Poage.	Tillotson.
Renfro	Waddell.
of Angelina.	Wells.
Runge.	Williams
Smith of El Paso.	of Travis.
Smith of Smith.	

Absent—Excused.

Justice.	Pool.
Kinnear.	

## HOUSE BILL NO. 346 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 346, A bill to be entitled "An Act giving permission to J. T. Adair to sue the State of Texas on a certain claim for damages for personal injuries; providing for service of citation in such suit; appropriating sufficient money from the State Treasury to pay such judgment as may be recovered by the said J. T. Adair."

The bill was read second time and was passed to engrossment.

## HOUSE BILL NO. 346 ON THIRD READING.

Mr. Hall moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 346 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—107.

Mr. Speaker.	DeBerry.
Alexander.	Dielmann.
Anderson.	Dunlap.
Avis.	Enderby.
Barnett.	Farrar.
Barron.	Faulk.
Bass.	Finlay.
Bateman.	Fly.
Bird.	Forbes.
Black.	Foster.
Boggs.	Fuchs.
Boon.	Gibson.
Branch.	Gilbert.
Brice.	Graves.
Conway.	Hall.
Cornwell.	Harding.
Cox.	High.
Daniel.	Hogg.
Davis.	Holder.

Hornaday.	Rawlins.
Jacks.	Reagan.
Johnson.	Renfro of Mills.
Jones.	Rogers of Hays.
Kayton.	Rogers of Shelby.
Keeton.	Rowell.
Kenyon.	Sanders.
King of Hopkins.	Satterwhite.
King of	Shaver.
Throckmorton.	Shearer.
Kirkland.	Sheats.
Land.	Simmons.
Lipscomb.	Smith of Atascosa.
Long.	Smith of Nueces.
McCombs.	Smyth.
McGill.	Stell.
McKean.	Storey.
Merritt.	Swain.
Minor.	Taylor.
Montgomery.	Teer.
Moursund.	Tillotson.
Murphy.	Turner.
Nabors.	Van Zandt.
Nicholson.	Veatch.
Olsen.	Walker.
Parish of Runnels.	Wallace of Smith.
Pavlica.	Ware.
Pearce.	Wassell.
Petsch.	Webb.
Poage.	Whitaker.
Pope.	Williams
Porter.	of Sabine.
Powell.	Williamson.
Purl.	Woodruff.
Ramsey.	Young.

Nays—2.

Albritton. Kennedy.

Present—Not Voting.

Stout.

Absent.

Acker.	Morse.
Beck.	Parrish of Travis.
Bonham.	Renfro
Brown.	of Angelina.
Cummings.	Runge.
Denman.	Shirley.
Duvall.	Sinks.
Eickenroht.	Smith of El Paso.
Gates.	Smith of Smith.
Gray.	Snelgrove.
Hagaman.	Stevenson.
Harman.	Sutton.
Hefley.	Waddell.
Holland.	Wallace
Kemble.	of Freestone.
Kincaid.	Wallace of Panola.
Kirby.	Wells.
Loftin.	Williams
Loy.	of Travis.
Masterson.	Woodall.

Absent—Excused.

Justice.  
Kinnear.

Pool.

The Speaker then laid House bill No. 346 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—104.

Mr. Speaker.	Lipscomb.
Acker.	McCombs.
Albritton.	McGill.
Alexander.	McKean.
Anderson.	Merritt.
Avis.	Minor.
Barnett.	Montgomery.
Barron.	Moursund.
Bass.	Murphy.
Bateman.	Nabors.
Bird.	Nicholson.
Black.	Olsen.
Boggs.	Parish of Runnels.
Boon.	Pavlica.
Branch.	Pearce.
Brice.	Petsch.
Conway.	Poage.
Cornwell.	Pope.
Cox.	Porter.
Daniel.	Powell.
Davis.	Purl.
DeBerry.	Ramsey.
Dielmann.	Rawlins.
Enderby.	Renfro of Mills.
Farrar.	Rogers of Hays.
Faulk.	Rogers of Shelby.
Finlay.	Rowell.
Fly.	Sanders.
Forbes.	Satterwhite.
Foster.	Shaver.
Fuchs.	Shearer.
Gibson.	Sheats.
Gilbert.	Simmons.
Graves.	Smith of Atascosa.
Hagaman.	Smith of Nueces.
Hall.	Smyth.
Harding.	Stell.
High.	Storey.
Hogg.	Swain.
Holder.	Taylor.
Holland.	Turner.
Hornaday.	Van Zandt.
Johnson.	Veatch.
Jones.	Walker.
Kayton.	Wallace of Panola.
Kennedy.	Wallace of Smith
Kenyon.	Ware.
King of	Wassell.
Throckmorton.	Webb.
Kirby.	Whitaker.
Kirkland.	Williams
Land.	of Sabine.

Williamson.  
Woodall.

Woodruff.  
Young.

Present—Not Voting.

Stout.

Absent.

Beck.	Morse.
Bonham.	Parrish of Travis.
Brown.	Reagan.
Cummings.	Renfro
Denman.	of Angelina.
Dunlap.	Runge.
Duvall.	Shirley.
Eickenroht.	Sinks.
Gates.	Smith of El Paso.
Gray.	Smith of Smith.
Harman.	Snelgrove.
Hefley.	Stevenson.
Jacks.	Sutton.
Keeton.	Teer.
Kemble.	Tillotson.
Kincaid.	Waddell.
King of Hopkins.	Wallace
Loftin.	of Freestone.
Long.	Wells.
Loy.	Williams
Masterson.	of Travis.

Absent—Excused.

Justice.  
Kinnear.

Pool.

#### HOUSE BILL NO. 647 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 647, A bill to be entitled "An Act relative to reforming the time of holding court in the Sixty-fourth Judicial District of Texas."

The bill was read second time.

Mr. Smyth offered the following amendments to the bill:

Amend House bill No. 647 by striking out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Subdivision 64 of Article 199 of the Revised Civil Statutes of 1925 is hereby amended so as to hereafter read as follows:

"64. The Sixty-fourth Judicial District shall be composed of the counties of Hale, Floyd, Briscoe, Castro, Lamb, Swisher and Bailey, and the terms of court in said district shall be held therein as follows:

"Hale county: On the second Monday in January and first Monday in August and may continue seven weeks.

"Floyd county: On the seventh Monday after the second Monday in January and first Monday in August and may continue five weeks.

"Briscoe county: On the twelfth Monday after the second Monday in January and first Monday in August and may continue two weeks.

"Castro county: On the fourteenth Monday after the second Monday in January and first Monday in August and may continue two weeks.

"Lamb county: On the sixteenth Monday after the second Monday in January and first Monday in August and may continue two weeks.

"Swisher county: On the eighteenth Monday after the second Monday in January and first Monday in August and may continue three weeks.

"Bailey county: On the twenty-first Monday after the second Monday in January and may continue in session three weeks, and on the twenty-first Monday after the first Monday in August and may continue one week.

"Sec. 2. The crowded condition of the docket of the district court of Bailey county creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and said rule is hereby suspended, and that this act shall take effect and be in force from and after its passage, and it is so enacted."

Amend House bill No. 647 by striking out the caption and inserting in lieu thereof the following:

"A bill to be entitled 'An Act amending subdivision 64, of Article 199, of the Revised Civil Statutes of 1925, so as to change the time of holding district court in Bailey county in the Sixty-fourth Judicial District of Texas, and declaring an emergency.'"

The amendments were severally adopted.

House bill No. 647 was then passed to engrossment.

#### HOUSE BILL NO. 647 ON THIRD READING.

Mr. Smyth moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 647 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105.

Mr. Speaker.	McGill.
Alexander.	McKean.
Anderson.	Merritt.
Avis.	Minor.
Barron.	Moursund.
Bass.	Murphy.
Bateman.	Nabors.
Bird.	Nicholson.
Black.	Parish of Runnels.
Boggs.	Pavlica.
Bonham.	Pearce.
Boon.	Petsch.
Branch.	Poage.
Brice.	Pope.
Brown.	Porter.
Conway.	Powell.
Cornwell.	Purl.
Cox.	Ramsey.
Daniel.	Rawlins.
Davis.	Reagan.
DeBerry.	Renfro of Mills.
Dielmann.	Rogers of Hays.
Dunlap.	Rowell.
Enderby.	Sanders.
Faulk.	Satterwhite.
Finlay.	Shaver.
Fly.	Sheats.
Forbes.	Simmons.
Foster.	Sinks.
Fuchs.	Smith of Atascosa.
Gibson.	Smith of Nueces.
Gilbert.	Smyth.
Graves.	Stell.
Gray.	Storey.
Hagaman.	Stout.
Hall.	Swain.
Harding.	Taylor.
Harman.	Teer.
High.	Turner.
Hogg.	Van Zandt.
Holder.	Walker.
Holland.	Wallace.
Hornaday.	of Freestone.
Johnson.	Wallace of Panola.
Jones.	Wallace of Smith.
Kayton.	Ware.
Kenyon.	Wassell.
Kincaid.	Webb.
King of Hopkins.	Whitaker.
King of	Williams.
Throckmorton.	of Sabine.
Kirkland.	Williamson.
Land.	Woodall.
Lipscomb.	Woodruff.
McCombs.	

Nays—3.

Albritton.	Olsen.
Kennedy.	

Absent.

Acker.	Beck.
Barnett.	Cummings.

Denman.	Renfro
Duvall.	of Angelina.
Eickenroht.	Rogers of Shelby.
Farrar.	Runge.
Gates.	Shearer.
Hefley.	Shirley.
Jacks.	Smith of El Paso.
Keeton.	Smith of Smith.
Kemble.	Snelgrove.
Kirby.	Stevenson.
Loftin.	Sutton.
Long.	Tillotson.
Loy.	Veatch.
Masterson.	Waddell.
Montgomery.	Wells.
Morse.	Williams
Parrish of Travis.	of Travis.
	Young.

Absent—Excused.

Justice.	Pool.
Kinnear.	

The Speaker then laid House bill No. 647 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—106.

Mr. Speaker.	Hagaman.
Albritton.	Harding.
Anderson.	Harman.
Avis.	High.
Barnett.	Hogg.
Barron.	Holder.
Bass.	Holland.
Bateman.	Hornaday.
Bird.	Johnson.
Black.	Jones.
Boggs.	Kayton.
Bonham.	Keeton.
Boon.	Kenyon.
Branch.	King of Hopkins.
Brice.	King of
Brown.	Throckmorton.
Conway.	Kirby.
Cornwell.	Kirkland.
Cox.	Land.
Daniel.	Lipscomb.
Davis.	McCombs.
DeBerry.	McGill.
Dielmann.	McKean.
Dunlap.	Merritt.
Enderby.	Minor.
Faulk.	Moursund.
Finlay.	Murphy.
Fly.	Nabors.
Forbes.	Nicholson.
Foster.	Olsen.
Fuchs.	Parish of Runnels.
Gibson.	Pavlica.
Gilbert.	Pearce.
Graves.	Petsch.
Gray.	Poage.

Pope.	Storey.
Porter.	Stout.
Powell.	Swain.
Purl.	Taylor.
Ramsey.	Teer.
Rawlins.	Turner.
Reagan.	Van Zandt.
Renfro of Mills.	Walker.
Rogers of Hays.	Wallace
Rowell.	of Freestone.
Sanders.	Wallace of Panola.
Satterwhite.	Wallace of Smith.
Shaver.	Ware.
Shearer.	Wassell.
Sheats.	Webb.
Simmons.	Whitaker.
Sinks.	Williams
Smith of Atascosa.	of Sabine.
Smith of Nueces.	Williamson.
Smyth.	Woodall.
Stell.	Woodruff.

Absent.

Acker.	Morse.
Alexander.	Parrish of Travis.
Beck.	Renfro
Cummings.	of Angelina.
Denman.	Rogers of Shelby.
Duvall.	Runge.
Eickenroht.	Shirley.
Farrar.	Smith of El Paso.
Gates.	Smith of Smith.
Hall.	Snelgrove.
Hefley.	Stevenson.
Jacks.	Sutton.
Kemble.	Tillotson.
Kennedy.	Veatch.
Kincaid.	Waddell.
Loftin.	Wells.
Long.	Williams
Loy.	of Travis.
Masterson.	Young.
Montgomery.	

Absent—Excused.

Justice.	Pool.
Kinnear.	

## HOUSE BILL NO. 649 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 649, A bill to be entitled "An Act creating and defining Road District No. 5 in Briscoe county, Texas."

The bill was read second time and was passed to engrossment.

## HOUSE BILL NO. 649 ON THIRD READING.

Mr. Smyth moved that the constitutional rule requiring bills to be read on

three several days be suspended and that House bill No. 649 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106.

Mr. Speaker.	McGill.
Alexander.	McKean.
Anderson.	Merritt.
Avis.	Minor.
Barnett.	Moursund.
Barron.	Murphy.
Bass.	Nabors.
Bateman.	Nicholson.
Bird.	Parish of Runnels.
Black.	Pavlica.
Boggs.	Pearce.
Bonham.	Petsch.
Boon.	Poage.
Branch.	Pope.
Brice.	Purl.
Brown.	Ramsey.
Conway.	Rawlins.
Cornwell.	Renfro of Mills.
Cox.	Rogers of Hays.
Daniel.	Rowell.
Davis.	Sanders.
DeBerry.	Satterwhite.
Dielmann.	Shaver.
Enderby.	Shearer.
Farrar.	Sheats.
Faulk.	Simmons.
Finlay.	Sinks.
Forbes.	Smith of Atascosa.
Foster.	Smith of Nueces.
Fuchs.	Smyth.
Gibson.	Snelgrove.
Gilbert.	Stell.
Graves.	Storey.
Gray.	Stout.
Hagaman.	Swain.
Hall.	Taylor.
Harding.	Teer.
Harman.	Turner.
High.	Van Zandt.
Hogg.	Walker.
Holder.	Wallace
Holland.	of Freestone.
Hornaday.	Wallace of Panola.
Johnson.	Wallace of Smith.
Jones.	Ware.
Kayton.	Wassell.
Keeton.	Webb.
Kenyon.	Wells.
King of Hopkins.	Whitaker.
King of	Williams
Throckmorton.	of Sabine.
Kirkland.	Williamson.
Land.	Woodall.
Lipscomb.	Woodruff.
McCombs.	

Nays—3.

Albritton.	Olsen.
Kennedy.	

## Absent.

Acker.	Parrish of Travis.
Beck.	Porter.
Cummings.	Powell.
Denman.	Reagan.
Dunlap.	Renfro
Duvall.	of Angelina.
Eickenroht.	Rogers of Shelby.
Fly.	Runge.
Gates.	Shirley.
Hefley.	Smith of El Paso.
Jacks.	Smith of Smith.
Kemble.	Stevenson.
Kincaid.	Sutton.
Kirby.	Tillotson.
Loftin.	Veatch.
Long.	Waddell.
Loy.	Williams
Masterson.	of Travis.
Montgomery.	Young.
Morse.	

## Absent—Excused.

Justice.	Pool.
Kinnear.	

The Speaker then laid House bill No. 649 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—113.

Mr. Speaker.	Graves.
Albritton.	Gray.
Alexander.	Hagaman.
Anderson.	Harding.
Avis.	Harman.
Barnett.	High.
Barron.	Hogg.
Bass.	Holder.
Bateman.	Holland.
Black.	Hornaday.
Boggs.	Jones.
Bonham.	Kayton.
Boon.	Keeton.
Branch.	Kennedy.
Brice.	Kenyon.
Brown.	Kincaid.
Conway.	King of
Cornwell.	Throckmorton.
Cox.	Kirby.
Daniel.	Kirkland.
Davis.	Land.
DeBerry.	Lipscomb.
Dielmann.	Loy.
Enderby.	McCombs.
Farrar.	McGill.
Faulk.	McKean.
Finlay.	Merritt.
Forbes.	Minor.
Foster.	Moursund.
Fuchs.	Murphy.
Gibson.	Nabors.
Gilbert.	Nicholson.

Olsen.	Stell.
Parish of Runnels.	Stevenson.
Pavlica.	Storey.
Pearce.	Stout.
Petsch.	Swain.
Poage.	Taylor.
Pope.	Teer.
Porter.	Tillotson.
Powell.	Turner.
Purl.	Van Zandt.
Ramsey.	Veatch.
Rawlins.	Walker.
Renfro of Mills.	Wallace
Rogers of Hays.	of Freestone.
Rogers of Shelby.	Wallace of Panola.
Rowell.	Wallace of Smith.
Sanders.	Ware.
Satterwhite.	Wassell.
Shaver.	Webb.
Shearer.	Wells.
Sheats.	Whitaker.
Simmons.	Williams
Sinks.	of Sabine.
Smith of Atascosa.	Woodall.
Smith of Nueces.	Woodruff.
Smyth.	Young.
Snelgrove.	

## Absent.

Acker.	Long.
Beck.	Masterson.
Bird.	Montgomery.
Cummings.	Morse.
Denman.	Parrish of Travis.
Dunlap.	Reagan.
Duvall.	Renfro
Eickenroht.	of Angelina.
Fly.	Runge.
Gates.	Shirley.
Hall.	Smith of El Paso.
Hefley.	Smith of Smith.
Jacks.	Sutton.
Johnson.	Waddell.
Kemble.	Williams
King of Hopkins.	of Travis.
Loftin.	Williamson.

## Absent—Excused.

Justice.	Pool.
Kinnear.	

## HOUSE BILL NO. 282 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 282, A bill to be entitled "A Special Act applying to Dallas county only, providing for the maintenance and operation of a city-county hospital system for the city of Dallas and Dallas county, and for the appointment of a governing board, terms of office of the governing board, for the levying and

collection of taxes, for the disbursement of funds, and for the government and operation for a complete general city-county hospital system, and declaring an emergency."

The bill was read second time.

Mr. Holder offered the following amendments to the bill:

Amend House bill No. 282 by striking out all after the enacting clause and insert in lieu thereof the following:

"Section 1. That in all counties in Texas, having a population of 210,000 inhabitants, as shown by the United States census of 1920, in which there are established hospitals jointly owned and operated by a city and a county, in which said hospital is located, the said counties are hereby authorized to take over the entire ownership and control of such hospitals upon such terms as may be agreed upon between the city and the county owning such hospitals and operating the same.

"Sec. 2. That if in the judgment of the combined boards of county commissioners and city councils of such cities, as may be part owners of such hospitals, a county-wide election to determine the future ownership and operation of the hospitals is desirable, such county-wide election may be ordered on the initiative of such combined boards, and a majority vote on the questions submitted shall govern the future ownership and operation of the hospitals, the expense of such election to be paid by the commissioners court from county funds.

"Sec. 3. A direct tax of not over ten cents (10c) on the valuation of one hundred dollars (\$100) may be authorized and levied by the commissioners court of such county for the purpose of erecting buildings or other improvements and for maintaining such hospitals; provided, that all such levy of taxes shall be submitted to the qualified tax-paying voters of the county, and a majority vote shall be necessary to levy the tax.

"Sec. 4. The board of managers or directors of such hospitals shall be elected, when so taken over, by the county commissioners court, and said board shall consist of not less than three members, or more than nine members, and when so elected shall be responsible for and have full and complete control of the management of and conduct of such hospital or hospitals, giving a report of their management at least once every quarter to the commissioners court, and as much oftener as said court may request, upon any and all acts, rules and regulations performed by

them. They shall also give a quarterly financial statement to the commissioners court showing all money expended and received by them and showing fully for what purposes the money has been expended.

"Sec. 5. The said hospital or hospitals shall give free service to all sick and injured citizens of the entire county.

"Sec. 6. Said board of managers shall be appointed for such terms that the terms of one-third of the number of the members of the board will expire every two years and the term of office for such members of the board shall be for six years."

Amend House bill No. 282 by striking out all above the enacting clause and insert in lieu thereof the following:

"A bill to be entitled 'An Act applying only to counties in Texas having a population of 210,000 inhabitants by the census of 1920, enabling commissioners courts in such counties to acquire by agreement with city authorities full title and control of city-county hospitals which may be operated by such county and city governments located in such counties, and providing for the levying of taxes, the appointment of a board of directors and the government and maintenance of such hospitals.'"

The amendments were severally adopted.

House bill No. 282 was then passed to engrossment.

#### HOUSE BILL NO. 282 ON THIRD READING.

Mr. Holder moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 282 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—108.

Mr. Speaker.  
Alexander.  
Anderson.  
Avis.  
Barnett.  
Barron.  
Bass.  
Bateman.  
Bird.  
Black.  
Boggs.  
Bonham.  
Boon.  
Branch.  
Brice.

Conway.  
Cornwell.  
Cox.  
Daniel.  
Davis.  
DeBerry.  
Dielmann.  
Enderby.  
Farrar.  
Faulk.  
Fly.  
Forbes.  
Foster.  
Fuchs.  
Gilbert.

Graves.	Powell.
Gray.	Purl.
Hagaman.	Ramsey
Hall.	Rawlins.
Harding.	Reagan.
Harman.	Rogers of Hays.
High.	Rogers of Shelby.
Hogg.	Rowell.
Holder.	Sanders.
Holland.	Satterwhite.
Hornaday.	Shaver.
Jacks.	Shearer.
Johnson.	Sheats.
Jones.	Shirley.
Kayton.	Sinks.
Keeton.	Smith of Atascosa.
Kenyon.	Smyth.
King of Hopkins.	Snelgrove.
King of	Stell.
Throckmorton.	Storey.
Kirby.	Stout.
Kirkland.	Swain.
Land.	Taylor.
Lipscomb.	Tillotson.
Loftin.	Turner.
Long.	Van Zandt.
McCombs.	Veatch.
McGill.	Wallace
McKean.	of Freestone.
Merritt.	Wallace of Panola.
Minor.	Ware.
Moursund.	Wassell.
Murphy.	Webb.
Nabors.	Whitaker.
Nicholson.	Williams
Parish of Runnels.	of Sabine.
Pavlica.	Williamson.
Pearce.	Woodall.
Poage.	Woodruff.
Pope.	Young.
Porter.	

Nays—3.

Albritton.	Walker.
Kennedy.	

Absent.

Acker.	Parrish of Travis.
Beck.	Petsch.
Brown.	Renfro
Cummings.	of Angelina.
Denman.	Renfro of Mills.
Dunlap.	Runge.
Duvall.	Simmons.
Eickenroht.	Smith of El Paso.
Finlay.	Smith of Nueces.
Gates.	Smith of Smith.
Gibson.	Stevenson.
Hefley.	Sutton.
Kemble.	Teer.
Kincaid.	Waddell.
Loy.	Wallace of Smith.
Masterson.	Wells.
Montgomery.	Williams
Morse.	of Travis.
Olsen.	

Absent—Excused.

Justice.	Pool.
Kinnear.	

The Speaker then laid House bill No. 282 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—115.

Mr. Speaker.	Land.
Albritton.	Lipscomb.
Alexander.	Loftin.
Anderson.	McCombs.
Avis.	McGill.
Barnett.	McKean.
Barron.	Merritt.
Bass.	Minor.
Bateman.	Morse.
Bird.	Moursund.
Black.	Murphy.
Boggs.	Nabors.
Bonham.	Nicholson.
Boon.	Parish of Runnels.
Branch.	Pavlica.
Brice.	Pearce.
Conway.	Petsch.
Cornwell.	Poage.
Cox.	Pope.
Daniel.	Porter.
Davis.	Powell.
DeBerry.	Purl.
Dielmann.	Ramsey.
Enderby.	Rawlins.
Farrar.	Reagan.
Faulk.	Rogers of Hays.
Finlay.	Rogers of Shelby.
Fly.	Rowell.
Forbes.	Sanders.
Foster.	Satterwhite.
Gilbert.	Shaver.
Graves.	Shearer.
Gray.	Sheats.
Hagaman.	Shirley.
Hall.	Simmons.
Harding.	Sinks.
Harman.	Smith of Atascosa.
High.	Smith of Nueces.
Hogg.	Smyth.
Holder.	Snelgrove.
Holland.	Stell.
Hornaday.	Stevenson.
Jacks.	Storey.
Johnson.	Stout.
Jones.	Swain.
Kayton.	Taylor.
Kennedy.	Teer.
Kenyon.	Tillotson.
Kincaid.	Turner.
King of Hopkins.	Van Zandt.
King of	Veatch.
Throckmorton.	Walker.
Kirby.	Wallace
Kirkland.	of Freestone.

Wallace of Panola. Williams  
Ware. of Sabine.  
Wassell. Woodall.  
Webb. Woodruff.  
Whitaker. Young.

## Absent.

Acker. Montgomery.  
Beck. Olsen.  
Brown. Parrish of Travis.  
Cummings. Renfro  
Denman. of Angelina.  
Dunlap. Renfro of Mills.  
Duvall. Runge.  
Eickenroht. Smith of El Paso.  
Fuchs. Smith of Smith.  
Gates. Sutton.  
Gibson. Waddell.  
Hefley. Wallace of Smith.  
Keeton. Wells.  
Kemble. Williams  
Long. of Travis.  
Loy. Williamson.  
Masterson.

## Absent—Excused.

Justice. Pool.  
Kinnear.

SENATE BILL NO. 461 ON SECOND  
READING.

The Speaker laid before the House,  
on its second reading and passage to  
third reading,

S. B. No. 461, Relating to appoint-  
ment by board of trustees of Bay City  
Independent School District of a tax  
assessor and collector.

The bill was read second time and  
was passed to third reading.

SENATE BILL NO. 461 ON THIRD  
READING.

Mr. Shearer moved that the constitu-  
tional rule requiring bills to be read on  
three several days be suspended and that  
Senate bill No. 461 be placed on its third  
reading and final passage."

The motion prevailed by the follow-  
ing vote:

Yeas—104.

Mr. Speaker. Branch.  
Alexander. Brice.  
Anderson. Brown.  
Avis. Conway.  
Barnett. Cornwell.  
Barron. Cox.  
Bass. Cummings.  
Bateman. Daniel.  
Black. Davis.  
Boggs. DeBerry.  
Bonham. Dielmann.  
Boon. Enderby.

Farrar.  
Faulk.  
Finlay.  
Fly.  
Forbes.  
Foster.  
Fuchs.  
Gilbert.  
Graves.  
Hagaman.  
Hall.  
Harding.  
Harman.  
High.  
Hogg.  
Holder.  
Holland.  
Hornaday.  
Jacks.  
Johnson.  
Jones.  
Kayton.  
Keeton.  
Kenyon.  
Kincaid.  
King of Hopkins.  
King of  
Throckmorton.  
Kirby.  
Kirkland.  
Lipscomb.  
Loftin.  
Long.  
McGill.  
McKean.  
Merritt.  
Minor.  
Moursund.  
Murphy.  
Nabors.  
Nicholson.  
Parish of Runnels.  
Pavlica.  
Pearce.  
Petsch.

Poage.  
Pope.  
Porter.  
Powell.  
Ramsey.  
Rawlins.  
Reagan.  
Rogers of Hays.  
Rogers of Shelby.  
Rowell.  
Sanders.  
Satterwhite.  
Shaver.  
Shearer.  
Sheats.  
Shirley.  
Simmons.  
Sinks.  
Smith of Atascosa.  
Smith of Nueces.  
Smyth.  
Snelgrove.  
Stell.  
Stevenson.  
Storey.  
Swain.  
Tillotson.  
Turner.  
Van Zandt.  
Veatch.  
Wallace  
of Freestone.  
Wallace of Panola.  
Wallace of Smith.  
Ware.  
Wassell.  
Webb.  
Whitaker.  
Williams  
of Sabine.  
Williamson.  
Woodall.  
Woodruff.  
Young.

## Nays—4.

Albritton. Land.  
Kennedy. Walker.

## Absent.

Acker. Montgomery.  
Beck. Morse.  
Bird. Olsen.  
Denman. Parrish of Travis.  
Dunlap. Purl.  
Duvall. Renfro  
Eickenroht. of Angelina.  
Gates. Renfro of Mills.  
Gibson. Runge.  
Gray. Smith of El Paso.  
Hefley. Smith of Smith.  
Kemble. Stout.  
Loy. Sutton.  
Masterson. Taylor.  
McCombs. Teer.

Waddell.  
Wells.Williams  
of Travis.

Absent—Excused.

Justice.  
Kinnear.

Pool.

The Speaker then laid Senate bill No. 461 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—104.

Mr. Speaker.  
Albritton.  
Alexander.  
Anderson.  
Avis.  
Barnett.  
Barron.  
Bass.  
Bateman.  
Bird.  
Black.  
Boggs.  
Bonham.  
Boon.  
Branch.  
Brice.  
Cornwell.  
Daniel.  
Davis.  
Dielmann.  
Enderby.  
Farrar.  
Faulk.  
Finlay.  
Forbes.  
Foster.  
Fuchs.  
Gilbert.  
Graves.  
Hagaman.  
Hall.  
Harding.  
Harman.  
High.  
Hogg.  
Holder.  
Holland.  
Hornaday.  
Jacks.  
Johnson.  
Jones.  
Kayton.  
Kennedy.  
Kenyon.  
Kincaid.  
King of  
Throckmorton.  
Kirkland.  
Land.  
Lipscomb.  
Loftin.

Long.  
McCombs.  
McKean.  
Merritt.  
Minor.  
Moursund.  
Murphy.  
Nabors.  
Nicholson.  
Parish of Runnels.  
Pavlica.  
Pearce.  
Petsch.  
Poage.  
Pope.  
Porter.  
Powell.  
Ramsey.  
Rawlins.  
Reagan.  
Rogers of Hays.  
Rogers of Shelby.  
Rowell.  
Sanders.  
Satterwhite.  
Shearer.  
Sheats.  
Shirley.  
Simmons.  
Sinks.  
Smith of Atascosa.  
Smith of Nueces.  
Smyth.  
Snelgrove.  
Stell.  
Stevenson.  
Storey.  
Swain.  
Tillotson.  
Turner.  
Van Zandt.  
Veatch.  
Walker.  
Wallace  
of Freestone.  
Wallace of Panola.  
Wallace of Smith.  
Ware.  
Wassell.  
Webb.  
Whitaker.

Williams  
of Sabine.  
Williamson.Woodall.  
Woodruff.  
Young.

Present—Not Voting.

DeBerry.

Absent.

Acker.  
Beck.  
Brown.  
Conway.  
Cox.  
Cummings.  
Denman.  
Dunlap.  
Duvall.  
Eickenroht.  
Fly.  
Gates.  
Gibson.  
Gray.  
Hefley.  
Keeton.  
Kemble.  
King of Hopkins.  
Kirby.  
Loy.  
Masterson.

McGill.  
Montgomery.  
Morse.  
Olsen.  
Parrish of Travis.  
Purl.  
Renfro  
of Angelina.  
Renfro of Mills.  
Runge.  
Shaver.  
Smith of El Paso.  
Smith of Smith.  
Stout.  
Sutton.  
Taylor.  
Teer.  
Waddell.  
Wells.  
Williams  
of Travis.

Absent—Excused.

Justice.  
Kinnear.

Pool.

#### HOUSE BILL NO. 653 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 653, A bill to be entitled "An Act creating a special road law for Caldwell county."

The bill was read second time and was passed to engrossment.

#### HOUSE BILL NO. 653 ON THIRD READING.

Mr. McKean moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 653 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—111.

Mr. Speaker.  
Alexander.  
Anderson.  
Avis.  
Barnett.  
Barron.  
Bass.

Bateman.  
Bird.  
Black.  
Boggs.  
Bonham.  
Branch.  
Brice.

Conway.	Pavlica.
Cornwell.	Pearce.
Cox.	Poage.
Daniel.	Pope.
Davis.	Porter.
DeBerry.	Powell.
Dielmann.	Purl.
Enderby.	Ramsey.
Faulk.	Rawlins.
Finlay.	Reagan.
Fly.	Rogers of Hays.
Forbes.	Rogers of Shelby.
Foster.	Rowell.
Fuchs.	Sanders.
Gilbert.	Satterwhite.
Graves.	Shaver.
Gray.	Shearer.
Hagaman.	Sheats.
Hall.	Shirley.
Harding.	Simmons.
Harman.	Sinks.
High.	Smith of Atascosa.
Hogg.	Smith of Nueces.
Holder.	Smyth.
Holland.	Snelgrove.
Hornaday.	Stell.
Johnson.	Stevenson.
Jones.	Storey.
Kayton.	Stout.
Kenyon.	Taylor.
Kincaid.	Tillotson.
King of Hopkins.	Turner.
King of	Van Zandt.
Throckmorton.	Veatch.
Kirby.	Walker.
Land.	Wallace
Lipscomb.	of Freestone.
Loftin.	Wallace of Panola.
Long.	Wallace of Smith.
McGill.	Ware.
McKean.	Wassell.
Merritt.	Webb.
Minor.	Wells.
Morse.	Whitaker.
Moursund.	Williams
Murphy.	of Sabine.
Nabors.	Woodall.
Nicholson.	Woodruff.
Parish of Runnels.	Young.

Nays—3.

Albritton.	McCombs.
Kennedy.	

Absent.

Acker.	Gibson.
Beck.	Hefley.
Boon.	Jacks.
Brown.	Keeton.
Cummings.	Kemble.
Denman.	Kirkland.
Dunlap.	Loy.
Duvall.	Masterson.
Eickenroht.	Montgomery.
Farrar.	Olsen.
Gates.	Parrish of Travis.

Petsch.	Sutton.
Renfro	Swain.
of Angelina.	Teer.
Renfro of Mills.	Waddell.
Runge.	Williams
Smith of El Paso.	of Travis.
Smith of Smith.	Williamson.

Absent—Excused.

Justice.	Pool.
Kinnear.	

The Speaker then laid House bill No. 653 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—106.

Mr. Speaker.	Kenyon.
Albritton.	Kincaid.
Alexander.	King of Hopkins.
Anderson.	King of
Barnett.	Throckmorton.
Barron.	Kirby.
Bass.	Land.
Bateman.	Lipscomb.
Bird.	Long.
Black.	McGill.
Boggs.	McKean.
Bonham.	Merritt.
Boon.	Morse.
Branch.	Moursund.
Brice.	Murphy.
Conway.	Nabors.
Cornwell.	Nicholson.
Cox.	Parish of Runnels.
Cummings.	Pavlica.
Daniel.	Pearce.
Davis.	Poage.
DeBerry.	Pope.
Dielmann.	Porter.
Duvall.	Powell.
Enderby.	Purl.
Faulk.	Ramsey.
Finlay.	Rawlins.
Forbes.	Reagan.
Foster.	Rogers of Hays.
Fuchs.	Rogers of Shelby.
Gilbert.	Rowell.
Graves.	Sanders.
Gray.	Satterwhite.
Hagaman.	Shaver.
Hall.	Shearer.
Harding.	Sheats.
Harman.	Shirley.
High.	Simmons.
Hogg.	Sinks.
Holland.	Smith of Atascosa.
Jacks.	Smith of Nueces.
Johnson.	Smyth.
Jones.	Stell.
Kayton.	Storey.
Keeton.	Teer.
Kennedy.	Tillotson.

Turner.	Wassell.
Van Zandt.	Webb.
Veatch.	Wells.
Walker.	Whitaker.
Wallace	Williams
of Freestone.	of Sabine.
Wallace of Panola.	Woodall.
Wallace of Smith.	Woodruff.
Ware.	Young.

Nays—2.

Avis.	McCombs.
	Absent.

Acker.	Olsen.
Beck.	Parrish of Travis.
Brown.	Petsch.
Denman.	Renfro
Dunlap.	of Angelina.
Eickenroht.	Renfro of Mills.
Farrar.	Runge.
Fly.	Smith of El Paso.
Gates.	Smith of Smith.
Gibson.	Snelgrove.
Hefley.	Stevenson.
Holder.	Stout.
Hornaday.	Sutton.
Kemble.	Swain.
Kirkland.	Taylor.
Loftin.	Waddell.
Loy.	Williams
Masterson.	of Travis.
Minor.	Williamson.
Montgomery.	

Absent—Excused.

Justice.	Pool.
Kinnear.	

SENATE BILL NO. 455 ON SECOND  
READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 455, Creating a special road law for Hunt county.

The bill was read second time.

Mr. Conway offered the following amendment to the bill:

Amend Senate bill No. 455, page 1, Section 1, second line from bottom, by striking out the word "not."

The amendment was adopted.

Senate bill No. 455 was then passed to third reading.

SENATE BILL NO. 455 ON THIRD  
READING.

Mr. Conway moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 455 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105.

Mr. Speaker.	Merritt.
Anderson.	Minor.
Avis.	Montgomery.
Barnett.	Morse.
Barron.	Murphy.
Bass.	Nabors.
Bateman.	Nicholson.
Bird.	Parish of Runnels.
Boggs.	Pavlica.
Bonham.	Petsch.
Boon.	Poage.
Branch.	Pope.
Brice.	Powell.
Conway.	Purl.
Cornwell.	Ramsey.
Cox.	Rawlins.
Cummings.	Reagan.
Davis.	Rogers of Shelby.
DeBerry.	Rowell.
Dielmann.	Sanders.
Duvall.	Satterwhite.
Farrar.	Shaver.
Faulk.	Shearer.
Finlay.	Sheats.
Fly.	Shirley.
Forbes.	Simmons.
Foster.	Sinks.
Fuchs.	Smith of Atascosa.
Gibson.	Smith of Nueces.
Gilbert.	Snelgrove.
Graves.	Stell.
Hagaman.	Stevenson.
Harman.	Stout.
Hefley.	Taylor.
High.	Teer.
Hogg.	Tillotson.
Hornaday.	Turner.
Jacks.	Veatch.
Johnson.	Walker.
Jones.	Wallace of Panola.
Kayton.	Wallace of Smith.
Keeton.	Ware.
Kenyon.	Wassell.
Kincaid.	Webb.
King of Hopkins.	Wells.
Kirby.	Whitaker.
Kirkland.	Williams
Land.	of Sabine.
Lipscomb.	Williamson.
Long.	Woodall.
McCombs.	Woodruff.
McKean.	Young.

Nays—7.

Albritton.	Pearce.
Hall.	Storey.
Kennedy.	Van Zandt.
King of	
Throckmorton.	

Absent.

Acker.	Alexander.
--------	------------

Beck.	Olsen.
Black.	Parrish of Travis.
Brown.	Porter.
Daniel.	Renfro
Denman.	of Angelina.
Dunlap.	Renfro of Mills.
Enderby.	Rogers of Hays.
Eickenroht.	Runge.
Gates.	Smith of El Paso.
Gray.	Smith of Smith.
Harding.	Smyth.
Holder.	Sutton.
Holland.	Swain.
Kemble.	Waddell.
Loftin.	Wallace
Loy.	of Freestone.
Masterson.	Williams
McGill.	of Travis.
Moursund.	

Absent—Excused.

Justice.	Pool.
Kinnear.	

The Speaker then laid Senate bill No. 455 before the House on its third reading.

The bill was read third time and was passed by the following vote:

Yeas—117.

Mr. Speaker.	Masterson.
Alexander.	McCombs.
Avis.	McKean.
Barnett.	Montgomery.
Barron.	Morse.
Bateman.	Moursund.
Black.	Murphy.
Boggs.	Nabors.
Boon.	Parish of Runnels.
Brice.	Petsch.
Conway.	Poage.
Cox.	Ramsey.
Davis.	Rawlins.
Duvall.	Reagan.
Fly.	Rogers of Hays.
Forbes.	Rogers of Shelby.
Foster.	Rowell.
Gibson.	Sanders.
Graves.	Satterwhite.
Hagaman.	Shearer.
Hefley.	Shirley.
High.	Simmons.
Hogg.	Smith of Atascosa.
Holder.	Smith of Nueces.
Holland.	Smyth.
Hornaday.	Stell.
Jacks.	Stevenson.
Keeton.	Swain.
Kenyon.	Teer.
King of Hopkins.	Tillotson.
Kirby.	Veatch.
Kirkland.	Wallace of Panola.
Land.	Wallace of Smith.
Long.	Ware.

Webb.	Williamson.
Wells.	Woodruff.
Williams	Young.
of Sabine.	

Nays—15.

Bass.	Merritt.
Daniel.	Pearce.
Gilbert.	Sheats.
Kennedy.	Snelgrove.
Kincaid.	Storey.
King of	Turner.
Throckmorton.	Van Zandt.
Loftin.	Whitaker.

Present—Not Voting.

Anderson.	Jones.
Bird.	Kayton.
Bonham.	Minor.
Branch.	Nicholson.
Cornwell.	Porter.
Cummings.	Powell.
DeBerry.	Purl.
Farrar.	Shaver.
Finlay.	Taylor.
Fuchs.	Walker.
Hall.	Wassell.
Johnson.	Woodall.

Absent.

Acker.	Olsen.
Albritton.	Parrish of Travis.
Beck.	Pavlica.
Brown.	Pope.
Denman.	Renfro
Dielmann.	of Angelina.
Dunlap.	Renfro of Mills.
Enderby.	Runge.
Eickenroht.	Sinks.
Faulk.	Smith of El Paso.
Gates.	Smith of Smith.
Gray.	Stout.
Harding.	Sutton.
Harman.	Waddell.
Kemble.	Wallace
Lipscomb.	of Freestone.
Loy.	Williams
McGill.	of Travis.

Absent—Excused.

Justice.	Pool.
Kinnear.	

## SENATE BILL NO. 447 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 447, A bill to be entitled "An Act creating Cameron county court at law."

The bill was read second time and was passed to third reading.

## SENATE BILL NO. 447 ON THIRD READING.

Mr. Hornaday moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 447 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Mr. Speaker.	McKean.
Anderson.	Merritt.
Barron.	Minor.
Bass.	Montgomery.
Bateman.	Morse.
Bird.	Moursund.
Boggs.	Murphy.
Bonham.	Nabors.
Branch.	Nicholson.
Brice.	Parish of Runnels.
Conway.	Pearce.
Cornwell.	Petsch.
Cox.	Poage.
Cummings.	Pope.
Daniel.	Porter.
Davis.	Powell.
DeBerry.	Purl.
Duvall.	Rawlins.
Enderby.	Reagan.
Farrar.	Rogers of Hays.
Finlay.	Rogers of Shelby.
Fly.	Rowell.
Forbes.	Sanders.
Foster.	Satterwhite.
Fuchs.	Shearer.
Gibson.	Sheats.
Gilbert.	Shirley.
Graves.	Simmons.
Hagaman.	Sinks.
Harding.	Smith of Atascosa.
Hefley.	Smith of Nueces.
High.	Smyth.
Hogg.	Snelgrove.
Holder.	Stell.
Holland.	Storey.
Hornaday.	Taylor.
Jacks.	Teer.
Johnson.	Turner.
Jones.	Van Zandt.
Kayton.	Waddell.
Keeton.	Walker.
Kenyon.	Wallace of Panola.
Kincaid.	Wallace of Smith.
King of Hopkins.	Ware.
King of Throckmorton.	Wassell.
Kirby.	Webb.
Kirkland.	Wells.
Land.	Whitaker.
Lipscomb.	Williams
Loftin.	of Sabine.
Long.	Woodall.
Masterson.	Woodruff.
McGill.	Young.

Nays—5.

Albritton.  
Avis.  
Boon.

Kennedy.  
Veatch.

Absent.

Acker.  
Alexander.  
Barnett.  
Beck.  
Black.  
Brown.  
Denman.  
Dielmann.  
Dunlap.  
Eickenroht.  
Faulk.  
Gates.  
Gray.  
Hall.  
Harman.  
Kemble.  
Loy.  
McCombs.  
Olsen.  
Parrish of Travis.

Pavlica.  
Ramsey.  
Renfro  
of Angelina.  
Renfro of Mills.  
Runge.  
Shaver.  
Smith of El Paso.  
Smith of Smith.  
Stevenson.  
Stout.  
Sutton.  
Swain.  
Tillotson.  
Wallace  
of Freestone.  
Williams  
of Travis.  
Williamson.

Absent—Excused.

Justice.  
Kinnear.

Pool.

The Speaker then laid Senate bill No. 447 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—103.

Mr. Speaker.  
Albritton.  
Anderson.  
Barron.  
Bass.  
Bateman.  
Bird.  
Black.  
Boggs.  
Bonham.  
Boon.  
Branch.  
Brice.  
Cornwell.  
Cox.  
Cummings.  
Daniel.  
Davis.  
DeBerry.  
Dielmann.  
Duvall.  
Enderby.  
Farrar.  
Finlay.  
Fly.  
Forbes.  
Foster.

Fuchs.  
Gibson.  
Gilbert.  
Graves.  
Hagaman.  
Hefley.  
High.  
Hogg.  
Holder.  
Holland.  
Hornaday.  
Jacks.  
Johnson.  
Kayton.  
Keeton.  
Kenyon.  
Kincaid.  
King of Hopkins.  
King of Throckmorton.  
Kirkland.  
Land.  
Lipscomb.  
Loftin.  
Masterson.  
McGill.  
McKean.

Merritt.	Simmons.
Minor.	Sinks.
Montgomery.	Smith of Atascosa.
Morse.	Smith of Nueces.
Moursund.	Smyth.
Nabors.	Stell.
Nicholson.	Storey.
Parish of Runnels.	Swain.
Pearce.	Taylor.
Petsch.	Turner.
Poage.	Van Zandt.
Pope.	Walker.
Porter.	Wallace of Panola.
Powell.	Wallace of Smith.
Purl.	Ware.
Ramsey.	Wassell.
Rawlins.	Webb.
Reagan.	Wells.
Rogers of Hays.	Whitaker.
Rogers of Shelby.	Williams
Rowell.	of Sabine.
Sanders.	Williamson.
Satterwhite.	Woodall.
Shearer.	Woodruff.
Sheats.	Young.
Shirley.	

Nays—2.

Avis. Kennedy.

Absent.

Acker.	Olsen.
Alexander.	Parrish of Travis.
Barnett.	Pavlica.
Beck.	Renfro
Brown.	of Angelina.
Conway.	Renfro of Mills.
Denman.	Runge.
Dunlap.	Shaver.
Eickenroht.	Smith of El Paso.
Faulk.	Smith of Smith.
Gates.	Snelgrove.
Gray.	Stevenson.
Hall.	Stout.
Harding.	Sutton.
Harman.	Teer.
Jones.	Tillotson.
Kemble.	Veatch.
Kirby.	Waddell.
Long.	Wallace
Loy.	of Freestone.
McCombs.	Williams
Murphy.	of Travis.

Absent—Excused.

Justice. Pool.  
Kinnear.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 10, 1927.Hon. Robert Lee Bobbitt, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to

inform the House that the Senate has agreed to concur in House amendments to Senate bill No. 311 by vote of 31 yeas, 0 nays.

And has adopted the free conference committee report on Senate bill No. 25. The Senate has passed

H. J. R. No. 25, To amend Article 8 of the Constitution by adding thereto Section 1a, providing that the sources of income derived from taxation may be divided, in whole or in part, so that there may be a different source of taxation for the maintenance of the State Government and the maintenance and expenses of the political divisions of the State; also that there may be different rates of taxation and different classes of property; also that the State may make provision for the payment of interest and sinking fund charges on bonds where taxes have been remitted to pay such charges and where such remission of taxes may become insufficient to meet such charges, with amendments.

H. B. No. 300, A bill to be entitled "An Act requiring uniform fire hose couplings and fire hydrant hose outlets in all cities and towns having public fire protection; setting forth specifications for uniform couplings and outlets; providing for carrying on the work of making all couplings and outlets uniform; making appropriation for salaries, traveling expenses necessary for placing in effect the provisions of this act, and declaring an emergency."

The Senate has agreed to concur in the House amendment to House concurrent resolution No. 31.

In accordance with Senate simple resolution No. 85, the Senate requests the House to return House joint resolution No. 14 for further consideration.

The Senate has passed

S. B. No. 484, A bill to be entitled "An Act to amend Title 67, Chapter 3, of the Revised Civil Statutes."

Respectfully,

MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

## RELATING TO HOUSE BILL NO. 653.

Mr. Van Zandt moved to reconsider the vote by which House bill No. 653 was finally passed.

Mr. Rogers moved to table the motion to reconsider.

On motion of Speaker Bobbitt, further consideration of the bill was postponed until 4:30 o'clock p. m. tomorrow.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 10, 1927.

Hon. Robert Lee Bobbitt, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to  
inform the House that the Senate has  
passed

S. B. No. 440, A bill to be entitled  
"An Act amending Chapter 25, Sec-  
tion 138, of the General Laws of the  
Thirty-ninth Legislature of the State  
of Texas, passed at the Regular Session,  
relating to the organization and govern-  
ment of water control and improvement  
districts, and authorizing said districts  
to sell surplus water for irrigation pur-  
poses for lands other than those included  
in the district, and to supply certain  
waters to other districts and for other  
purposes; removing the restriction as to  
the period for which sale of water may  
be made, and declaring an emergency."

S. B. No. 478, A bill to be entitled  
"An Act making provision for a district  
attorney in the Ninetieth Judicial Dis-  
trict of Texas and an assistant district  
attorney in said district, etc., and de-  
claring an emergency."

Respectfully,  
MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

HOUSE BILL NO. 550 ON SECOND  
READING.

The Speaker laid before the House,  
on its second reading and passage to  
engrossment,

H. B. No. 550, A bill to be entitled  
"An Act to establish a more efficient  
system of public roads for Live Oak  
county, and to empower the commis-  
sioners court thereof to provide rules  
and regulations therefor; to provide for  
the condemnation of private property  
for road purposes; providing that the  
county commissioners of Live Oak  
county shall each be ex-officio superin-  
tendents of their respective commis-  
sioners precincts; to create Road Dis-  
trict No. 8 in Live Oak county; validat-  
ing and approving all orders made by the  
commissioners court of said county in  
respect to the organization of said dis-  
trict; validating the authorization, is-  
suanee and sale of certain road bonds  
thereof and authorizing the commis-  
sioners court to issue and sell any of  
said bonds remaining unissued and un-  
sold, and providing for their payment  
by the annual levy, assessment and col-  
lection of a general ad valorem tax on

all taxable property in said road dis-  
trict; approving and validating all  
orders of the commissioners court of  
said county in respect of said district  
bonds and taxes, or certified copies  
thereof, and constituting such orders  
legal evidence, and declaring an emer-  
gency."

The bill was read second time and was  
passed to engrossment.

HOUSE BILL NO. 550 ON THIRD  
READING.

Mr. Smith of Atascosa moved that  
the constitutional rule requiring bills to  
be read on three several days be sus-  
pended and that House bill No. 550 be  
placed on its third reading and final pas-  
sage.

The motion prevailed by the following  
vote:

Yeas—103.

Mr. Speaker.  
Anderson.  
Avis.  
Barnett.  
Barron.  
Bateman.  
Beck.  
Bird.  
Black.  
Boggs.  
Branch.  
Brown.  
Brice.  
Conway.  
Cornwell.  
Cox.  
Cummings.  
Davis.  
DeBerry.  
Dielmann.  
Enderby.  
Farrar.  
Forbes.  
Fuchs.  
Gibson.  
Gilbert.  
Graves.  
Gray.  
Hagaman.  
Hall.  
Harding.  
Hefley.  
High.  
Hogg.  
Holder.  
Hornaday.  
Jacks.  
Jones.  
Kayton.  
Keeton.  
Kennedy.  
Kenyon.

Kincaid.  
King of Hopkins.  
King of  
Throckmorton.  
Kirby.  
Land.  
Lipscomb.  
Long.  
McCombs.  
McGill.  
McKean.  
Merritt.  
Minor.  
Montgomery.  
Morse.  
Moursund.  
Murphy.  
Nabors.  
Nicholson.  
Parish of Runnels.  
Pearce.  
Petsch.  
Porter.  
Powell.  
Purl.  
Rawlins.  
Reagan.  
Renfro.  
of Angelina.  
Rogers of Hays.  
Rogers of Shelby.  
Rowell.  
Sanders.  
Satterwhite.  
Shaver.  
Shearer.  
Shirley.  
Simmons.  
Sinks.  
Smith of Atascosa.  
Smith of Nueces.  
Smyth.

Snelgrove.	Wallace of Smith.
Stell.	Wassell.
Storey.	Webb.
Stout.	Wells.
Swain.	Whitaker.
Taylor.	Williams
Tillotson.	of Sabine.
Turner.	Williamson.
Van Zandt.	Woodall.
Veatch.	Woodruff.
Walker.	Young.
Wallace of Panola.	

Nays—3.

Finlay.	Pope.
Foster.	

Absent.

Acker.	Masterson.
Albritton.	Olsen.
Alexander.	Parrish of Travis.
Bass.	Pavlica.
Bonham.	Poage.
Boon.	Ramsey.
Daniel.	Renfro of Mills.
Denman.	Runge.
Dunlap.	Sheats.
Duvall.	Smith of El Paso.
Eickenroht.	Smith of Smith.
Faulk.	Stevenson.
Fly.	Sutton.
Gates.	Teer.
Harman.	Waddell.
Holland.	Wallace
Johnson.	of Freestone.
Kemble.	Ware.
Kirkland.	Williams
Loftin.	of Travis.
Loy.	

Absent—Excused.

Justice.	Pool.
Kinnear.	

The Speaker then laid House bill No. 550 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—103.

Mr. Speaker.	Cummings.
Anderson.	Daniel.
Avis.	Davis.
Barnett.	DeBerry.
Barron.	Dielmann.
Bateman.	Enderby.
Bird.	Farrar.
Black.	Forbes.
Boggs.	Fuchs.
Branch.	Gibson.
Brice.	Gilbert.
Brown.	Graves.
Conway.	Gray.
Cornwell.	Hagaman.
Cox.	Hall.

Hefley.	Reagan.
High.	Renfro
Hogg.	of Angelina.
Holder.	Rogers of Hays.
Hornaday.	Rogers of Shelby.
Jacks.	Rowell.
Johnson.	Shaver.
Jones.	Shearer.
Kayton.	Shirley.
Keeton.	Simmons.
Kennedy.	Sinks.
Kenyon.	Smith of Atascosa.
Kincaid.	Smith of Nueces.
King of Hopkins.	Snelgrove.
King of	Stell.
Throckmorton.	Storey.
Kirby.	Stout.
Land.	Swain.
Lipscomb.	Taylor.
Long.	Teer.
McCombs.	Tillotson.
McGill.	Turner.
McKean.	Van Zandt.
Merritt.	Veatch.
Minor.	Walker.
Montgomery.	Wallace of Panola.
Morse.	Wallace of Smith.
Moursund.	Wassell.
Murphy.	Webb.
Nabors.	Wells.
Nicholson.	Whitaker.
Parish of Runnels.	Williams
Pearce.	of Sabine.
Petsch.	Williamson.
Porter.	Woodall.
Powell.	Woodruff.
Purl.	Young.
Rawlins.	

Nays—2.

Foster.	Pope.
---------	-------

Absent.

Acker.	Masterson.
Albritton.	Olsen.
Alexander.	Parrish of Travis.
Bass.	Pavlica.
Beck.	Poage.
Bonham.	Ramsey.
Boon.	Renfro of Mills.
Denman.	Runge.
Dunlap.	Sanders.
Duvall.	Satterwhite.
Eickenroht.	Sheats.
Faulk.	Smith of El Paso.
Finlay.	Smith of Smith.
Fly.	Smyth.
Gates.	Stevenson.
Harding.	Sutton.
Harman.	Waddell.
Holland.	Wallace
Kemble.	of Freestone.
Kirkland.	Ware.
Loftin.	Williams
Loy.	of Travis.

Absent—Excused.

Justice. Pool.  
Kinnear.HOUSE BILL NO. 366 ON SECOND  
READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 366, A bill to be entitled "An Act to validate the grants of land made by the Crown of Spain to Juan Antonio Vidaurri, his heirs and assigns, of Porciones 39 and 40, lying and being situated in Zapata county, Texas, and to authorize the Commissioner of the General Land Office to issue patents to Juan Antonio Vidaurri, his heirs and assigns, to said Porciones, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 366 ON THIRD  
READING.

Mr. Smith of Atascosa moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 366 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104.

Mr. Speaker.	Hall.
Anderson.	Harding.
Avis.	Hefley.
Barnett.	High.
Barron.	Hogg.
Bateman.	Holder.
Beck.	Hornaday.
Bird.	Jacks.
Black.	Johnson.
Boggs.	Jones.
Branch.	Kayton.
Brice.	Keeton.
Brown.	Kenyon.
Conway.	Kincaid.
Cornwell.	King of Hopkins.
Cox.	King of
Daniel.	Throckmorton.
Davis.	Kirby.
DeBerry.	Land.
Dielmann.	Lipscomb.
Dunlap.	Long.
Enderby.	McCombs.
Farrar.	McGill.
Finlay.	McKean.
Fly.	Merritt.
Forbes.	Minor.
Foster.	Montgomery.
Fuchs.	Morse.
Gray.	Moursund.
Hagaman.	Murphy.

Nabors.	Stell.
Nicholson.	Stevenson.
Parish of Runnels.	Storey.
Pavlica.	Stout.
Pearce.	Swain.
Petsch.	Taylor.
Poage.	Teer.
Pope.	Tillotson.
Porter.	Turner.
Powell.	Van Zandt.
Purl.	Veatch.
Rawlins.	Walker.
Reagan.	Wallace
Renfro	of Freestone.
of Angelina.	Wallace of Panola.
Rogers of Hays.	Wallace of Smith.
Rogers of Shelby.	Wassell.
Rowell.	Webb.
Sanders.	Wells.
Shaver.	Whitaker.
Shearer.	Williams
Shirley.	of Sabine.
Simmons.	Williamson.
Sinks.	Woodall.
Smith of Nueces.	Woodruff.
Snelgrove.	Young.

Nays—1.

Kennedy.

Present—Not Voting.

Gibson.

Absent.

Acker.	Loy.
Albritton.	Masterson.
Alexander.	Olsen.
Bass.	Parrish of Travis.
Bonham.	Ramsey.
Boon.	Renfro of Mills.
Cummings.	Runge.
Denman.	Satterwhite.
Duvall.	Sheats.
Eickenroht.	Smith of Atascosa.
Faulk.	Smith of El Paso.
Gates.	Smith of Smith.
Gilbert.	Smyth.
Graves.	Sutton.
Harman.	Waddell.
Holland.	Ware.
Kemble.	Williams
Kirkland.	of Travis.
Loftin.	

Absent—Excused.

Justice. Pool.  
Kinnear.

The Speaker then laid House bill No. 366 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—104.

Mr. Speaker. Anderson.

Avis.	Morse.
Barnett.	Moursund.
Barron.	Murphy.
Bateman.	Nabors.
Beck.	Nicholson.
Bird.	Parish of Runnels.
Black.	Pavlica.
Boggs.	Pearce.
Branch.	Poage.
Brice.	Pope.
Brown.	Porter.
Conway.	Powell.
Cornwell.	Purl.
Cox.	Rawlins.
Daniel.	Reagan.
Davis.	Renfro
DeBerry.	of Angelina.
Dielmann.	Rogers of Hays.
Enderby.	Rogers of Shelby.
Farrar.	Rowell.
Finlay.	Sanders.
Fly.	Shaver.
Forbes.	Shearer.
Foster.	Shirley.
Fuchs.	Simmons.
Gray.	Sinks.
Hagaman.	Smith of Nueces.
Hall.	Smyth.
Harding.	Snelgrove.
Hefley.	Stell.
High.	Stevenson.
Hogg.	Storey.
Holder.	Stout.
Hornaday.	Swain.
Jacks.	Taylor.
Johnson.	Teer.
Jones.	Tillotson.
Kayton.	Turner.
Keeton.	Van Zandt.
Kennedy.	Veatch.
Kenyon.	Walker.
Kincaid.	Wallace
King of Hopkins.	of Freestone.
King of	Wallace of Panola.
Throckmorton.	Wallace of Smith.
Kirby.	Wassell.
Land.	Webb.
Lipscomb.	Wells.
Long.	Whitaker.
McCombs.	Williamson.
McGill.	Woodall.
Merritt.	Woodruff.
Minor.	Young.
Montgomery.	

Present—Not Voting.

Gibson.

Absent.

Acker.  
Albritton.  
Alexander.  
Bass.  
Bonham.  
Boon.  
Cummings.

Denman.  
Dunlap.  
Duvall.  
Eickenroht.  
Faulk.  
Gates.  
Gilbert.

Graves.	Runge.
Harman.	Satterwhite.
Holland.	Sheats.
Kemble.	Smith of Atascosa.
Kirkland.	Smith of El Paso.
Loftin.	Smith of Smith.
Loy.	Sutton.
Masterson.	Waddell.
McKean.	Ware.
Olsen.	Williams
Parrish of Travis.	of Sabine.
Petsch.	Williams
Ramsey.	of Travis.
Renfro of Mills.	

Absent—Excused.

Justice.  
Kinneear.

Pool.

#### SENATE BILL NO. 64 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 64, Relating to fees of office of county treasurer.

The bill was read second time.

Mr. Moursund offered the following amendment to the bill:

Amend Senate bill No. 64 by striking out everything after the enacting clause and inserting in lieu thereof the following:

"Article 3943. Treasurer Commissions Limited.—The commission allowed to any county treasurer shall not exceed two thousand dollars annually; provided that in all counties in which the assessed value of the property of such counties shall be one hundred million dollars or more as shown by the preceding assessment roll, the treasurers thereof shall receive as their commissions a sum not exceeding two thousand seven hundred dollars annually; provided that in all counties having a population of one hundred and fifty thousand or more and less than two hundred and ten thousand, according to the last United States census, the treasurers thereof shall receive as their commissions a sum not exceeding two thousand seven hundred dollars annually, and shall be allowed an assistant at a salary not to exceed one thousand dollars per annum."

The amendment was adopted.

Senate bill No. 64 was then passed to third reading.

#### SENATE BILL NO. 64 ON THIRD READING.

Mr. Dielmann moved that the constitutional rule requiring bills to be read on

three several days be suspended and that Senate bill No. 64 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102.

Mr. Speaker.	Moursund.
Anderson.	Murphy.
Barnett.	Nabors.
Barron.	Nicholson.
Bateman.	Parish of Runnels.
Beck.	Pavlica.
Bird.	Pearce.
Boggs.	Petsch.
Branch.	Poage.
Brice.	Pope.
Brown.	Porter.
Conway.	Powell.
Cornwell.	Purl.
Cummings.	Rawlins.
Daniel.	Reagan.
DeBerry.	Renfro
Dielmann.	of Angelina.
Enderby.	Rogers of Hays.
Farrar.	Rogers of Shelby.
Finlay.	Rowell.
Fly.	Sanders.
Forbes.	Satterwhite.
Foster.	Shaver.
Fuchs.	Shearer.
Gibson.	Sheats.
Gilbert.	Shirley.
Gray.	Simmons.
Hagaman.	Sinks.
Hall.	Smith of Nueces.
Harding.	Smyth.
High.	Snelgrove.
Hogg.	Stell.
Holder.	Storey.
Hornaday.	Stout.
Jacks.	Taylor.
Johnson.	Tillotson.
Jones.	Turner.
Kayton.	Van Zandt.
Keeton.	Walker.
Kenyon.	Wallace
King of Hopkins.	of Freestone.
Kirby.	Wallace of Panola.
Land.	Wallace of Smith.
Lipscomb.	Wassell.
Loftin.	Webb.
Long.	Wells.
McCombs.	Whitaker.
McGill.	Williams
McKean.	of Sabine.
Merritt.	Williamson.
Minor.	Woodall.
Montgomery.	Woodruff.
Morse.	Young.

Nays—4.

Avis.	King of
Davis.	Throckmorton.
Kennedy.	

Present—Not Voting.

Kincaid.

Veatch.

Absent.

Acker.	Kirkland.
Albritton.	Loy.
Alexander.	Masterson.
Bass.	Olsen.
Black.	Parrish of Travis.
Bonham.	Ramsey.
Boon.	Renfro of Mills.
Cox.	Runge.
Denman.	Smith of Atascosa.
Dunlap.	Smith of El Paso.
Duvall.	Smith of Smith.
Eickenroht.	Stevenson.
Faulk.	Sutton.
Gates.	Swain.
Graves.	Teer.
Harman.	Waddell.
Hefley.	Ware.
Holland.	Williams
Kemble.	of Travis.

Absent—Excused.

Justice.  
Kinnear.

Pool.

The Speaker then laid Senate bill No. 64 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—103.

Mr. Speaker.	High.
Anderson.	Hogg.
Barron.	Holder.
Bateman.	Hornaday.
Beck.	Jacks.
Bird.	Johnson.
Black.	Jones.
Boggs.	Kayton.
Branch.	Keeton.
Brice.	Kennedy.
Conway.	Kenyon.
Cornwell.	King of Hopkins.
Cummings.	King of
Daniel.	Throckmorton.
DeBerry.	Kirby.
Dielmann.	Land.
Enderby.	Lipscomb.
Farrar.	Loftin.
Finlay.	Long.
Fly.	McCombs.
Forbes.	McGill.
Foster.	McKean.
Fuchs.	Merritt.
Gibson.	Minor.
Graves.	Morse.
Gray.	Moursund.
Hagaman.	Murphy.
Hall.	Nabors.
Harding.	Nicholson.

Parish of Runnels.	Stevenson.
Pavlica.	Storey.
Pearce.	Stout.
Petsch.	Swain.
Poage.	Taylor.
Pope.	Teer.
Porter.	Tillotson.
Powell.	Turner.
Purl.	Van Zandt.
Rawlins.	Walker.
Reagan.	Wallace
Rogers of Hays.	of Freestone.
Rowell.	Wallace of Panola.
Sanders.	Wallace of Smith.
Satterwhite.	Wassell.
Shaver.	Webb.
Shearer.	Wells.
Sheats.	Whitaker.
Shirley.	Williams
Simmons.	of Sabine.
Sinks.	Williamson.
Smith of Nueces.	Woodall.
Smyth.	Woodruff.
Snelgrove.	Young.
Stell.	

Nays—4.

Avis.	Davis.
Barnett.	Veatch.

Present—Not Voting.

Kincaid.

Absent.

Acker.	Loy.
Albritton.	Masterson.
Alexander.	Montgomery.
Bass.	Olsen.
Bonham.	Parrish of Travis.
Boon.	Ramsey.
Brown.	Renfro
Cox.	of Angelina.
Denman.	Renfro of Mills.
Dunlap.	Rogers of Shelby.
Duvall.	Runge.
Eickenroht.	Smith of Atascosa.
Faulk.	Smith of El Paso.
Gates.	Smith of Smith.
Gilbert.	Sutton.
Harman.	Waddell.
Hefley.	Ware.
Holland.	Williams
Kemble.	of Travis.
Kirkland.	

Absent—Excused.

Justice.	Pool.
Kinnear.	

## BILL ORDERED PRINTED.

On motion of Mr. Teer, Senate bill No. 442, reported adversely with a minority favorable report, was ordered printed.

## SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time and referred, to the appropriate committees as follows:

Senate bill No. 478, to the Judiciary Committee.

Senate bill No. 449, to the Committee on Conservation and Reclamation.

Senate bill No. 484, to the Committee on Game and Fisheries.

## ADJOURNMENT.

Mr. Purl moved that the House adjourn until 9:30 o'clock a. m. tomorrow.

Mr. Woodruff moved that the House adjourn until 9 o'clock a. m. tomorrow.

The motion of Mr. Purl prevailed, and the House, accordingly, at 6:30 o'clock p. m., adjourned until 9:30 o'clock a. m. tomorrow.

## APPENDIX.

## REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, March 10, 1927.

Hon. Robert Lee Bobbitt, Spaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 613, A bill to be entitled "An Act to amend Articles 1111, 1112 and 1113 of the Revised Civil Statutes of Texas, pertaining to the encumbrance of lighting and water systems and income thereof by cities and towns to secure payment of funds for the purchase or improvement thereof, including therein the power to encumber sewer systems and the income thereof for said purposes, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, March 10, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 460, A bill to be entitled "An Act providing that every person registering a motor vehicle, tractor,

trailer, semi-trailer or motorcycle, used on the public highways of this State, shall accompany his application for registration with a statement upon oath or affirmation, signed by the applicant, that such motor vehicle, tractor, trailer, semi-trailer or motorcycle, was rendered for taxation for the preceding year, or that said vehicle was not liable for taxation during said preceding year, or that said vehicle was not owned in whole or in part by the applicant during said preceding year, and providing for the payment of the tax upon said vehicle for the preceding year in lieu of such statement; providing for the administration of said oath or affirmation by the tax collector, and providing a penalty for any misrepresentation made in said statement, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, March 10, 1927.

Hon. Robert Lee Bobbit, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 473, A bill to be entitled "An Act providing for the hiring out of prisoners convicted of a misdemeanor, and who have been committed to jail in default of payment of fine and costs adjudged against them; such hiring to be either by private contract or public auction; the requisites of the bond given by hirer payable to the county judge; defining the liabilities of hirer when convict escapes; suit on such bond, in the event of its breach; providing for full credit being given convict for labor; providing manner for keeping record of convict so hired; providing for payment of officer's costs, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, March 10, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 303, A bill to be entitled "An Act to amend Article 3135 of the Revised Civil Statutes of 1925, relating to returns to be made by county clerks

for district offices in districts composed of only one county, and repealing laws or parts of laws in conflict therewith,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, March 10, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 226, A bill to be entitled "An Act providing that any teacher holding a valid certificate classified as an 'Elementary Permanent Certificate' or 'High School Permanent Certificate,' under Article 2885, Revised Civil Statutes of 1925, shall be authorized to teach any subject in any common school or high school in this State, which subject such teacher was required to pass in order to acquire such certificate; and authorizing such teacher to contract as teacher, principal, superintendent, or other position to which he or she may be assigned, by the trustees or other governing body for all grades or subjects covered by his or her certificate, and receive the pay authorized by law for the grades or subjects contracted to be taught; directing how such subjects shall be determined; and providing that no discrimination shall be made between certificates acquired by examination and those through attendance at teachers' colleges; repealing all laws and parts of laws in conflict with this act, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, March 9, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 416, A bill to be entitled "An Act to require the subject of fire prevention, and the relation of fire prevention to the conservation of life and property, and to the cost of fire waste and insurance, and the principles of construction in building to prevent and control fire, and the relation of insurance to fire waste, to be taught in the public schools of this State, and also in all other schools conducted in the State in which instruction is given corresponding to that given in the public schools; providing that the teaching of fire pre-

vention shall include the practice of fire drills, and prescribing the duties of the State Superintendent of Public Instruction and the State Fire Insurance Commission in the administration of said act, and declaring an emergency."

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,  
Austin, Texas, March 9, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 525, A bill to be entitled "An Act to provide for the fixing of the salary of the Secretary of the Railroad Commission of Texas by the Appropriations Committee from time to time, as the salaries of other State employes are fixed; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,  
Austin, Texas, March 9, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 396, A bill to be entitled "An Act to amend Article 1302, Revised Statutes of 1925, subdivision 54 thereof, authorizing the incorporation of clearing houses; providing for the maintenance of suitable rooms for the conduct of the business of such association; authorizing the establishment and maintenance of uniformity in commercial usages among the members thereof; prescribing the type of banking corporations that may become members of such associations; authorizing the acquisition, preservation and dissemination and exchange between the members of such associations, or by the members of such associations, through said associations, of valuable business information upon the borrowers from such members, and upon the customers of the members of such associations; authorizing the adoption of rules, regulations and standards of conduct governing the members of such associations; authorizing the employment of clearing house examiners and assistants, their payment, and the prescribing of their duties; authorizing the adoption of rules and regulations by the members of such associations governing the ad-

mission of members to such associations and their expulsion therefrom; authorizing the joining with other clearing house associations in the joint employment of clearing house examiners and the maintenance of a system of clearing house examinations of the members of such associations; and the authorizing, adoption, promulgation and establishment of such rules and regulations as will, in the judgment of the members of such associations, contribute to the safety and solvency of the members of such associations, and the protection of the depositors of such members of such associations, and for other purposes, and declaring an emergency."

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,  
Austin, Texas, March 9, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 69, A bill to be entitled "An Act levying a State occupation tax on every person, firm, partnership, company, corporation, association, receiver, trustee, common law trust or other concern selling at retail cigars and cigarettes; defining person; defining wholesaler; defining retailer, to include sales to consumers in any quantity; enacting the necessary provisions to enforce the collection of the tax and to accomplish the purpose of the act; prescribing penalties for failure to comply with the requirements of the act; providing for reports to be made by retailers to the Comptroller of all purchases made and of all sales made and for payment of the tax; providing for wholesalers to report to the Comptroller all sales made to the retailers in Texas; providing for the disposition of funds received; repealing all laws in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,  
Austin, Texas, March 9, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 326, A bill to be entitled "An Act for the better enforcement of laws relating to registration of motor vehicles and motorcycles, for the con-

trol of vehicles operated on State highways and the protection of the public safety; for the better supervision of a State patrol system, such patrolmen to wear a badge and uniform, and describing such badge and uniform; providing that no arrest shall be made by such patrolman or other officers by lying in wait for the purpose of trapping drivers of vehicles on the highways suspected of violation of speed restrictions; providing venue of all prosecutions of violations hereunder; providing that no fees shall be paid any officer making an arrest in violation of the provisions of the law, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,  
Austin, Texas, March 9, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 497, A bill to be entitled "An Act directing the State Board of Education to make an apportionment of funds according to scholastic census of certain school districts; providing the method of taking the census; making an appropriation therefor, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,  
Austin, Texas, March 9, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 400, A bill to be entitled "An Act to amend Articles 4102, 4111 and 4123 of the Revised Statutes of Texas, so as to provide for the appointment of a guardian for a person where it is necessary that a guardian be appointed to receive funds or money due such person from the Federal government; providing for fixing the venue where such appointment may be made; providing the court must be satisfied that the applicant is a person for whom it is necessary to have a guardian appointed to receive funds or money due such person from the Federal government, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

## REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,  
Austin, Texas, March 10, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 323, "An Act providing for the acceptance, ratification and adoption of the National Defense Act and amended by the Congress of the United States relating to the National Guard; recognizing the right of the President of the United States to call or draft the Texas National Guard and Texas National Guard Reserve into the military service of the United States; the resumption of the Texas National Guard and the Texas National Guard Reserve of their membership in the Texas National Guard and in the Texas National Guard Reserve on termination of such service, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,  
Austin, Texas, March 10, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 29, Relative to adjournment sine die,

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,  
Austin, Texas, March 10, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. J. R. No. 15, Proposing an amendment to Section 51, Article 3, of the Constitution of the State of Texas, authorizing a tax levy for Confederate soldiers and sailors and their widows, and providing for submission of same to the qualified electors of this State at any election to be held on the first Tuesday after the first Monday in November, A. D. 1928, and providing the necessary proclamation and appropriation to defray expenses of proclamation, publication and election,

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,  
Austin, Texas, March 9, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 551, "An Act to create the office of State Service Officer, to be attached to the Adjutant General's Department of the State of Texas; providing for his appointment; prescribing his qualifications and duties; fixing his salary; making appropriation for such, together with traveling and incidental expenses, for the fiscal year ending August 31, 1927; prohibiting the charging of fees; providing for official entry into records of eleemosynary and penal institutions; providing all matters and things incidental to the main purpose of this act, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

### THIRTY-SEVENTH DAY.

(Friday, March 11, 1927.)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Bobbitt.

The roll was called and the following members were present:

Acker.	Duvall.
Albritton.	Enderby.
Alexander.	Eickenroht.
Anderson.	Farrar.
Avis.	Faulk.
Barnett.	Finlay.
Barron.	Fly.
Bass.	Forbes.
Bateman.	Foster.
Beck.	Fuchs.
Bird.	Gates.
Black.	Gibson.
Boggs.	Gilbert.
Bonham.	Graves.
Boon.	Gray.
Branch.	Hagaman.
Brice.	Hall.
Brown.	Harding.
Conway.	Harman.
Cornwell.	Hesley.
Cox.	High.
Cummings.	Hogg.
Daniel.	Holder.
Davis.	Holland.
DeBerry.	Hornaday.
Denman.	Jacks.
Dielmann.	Johnson.
Dunlap.	Jones.

Kayton.	Runge.
Keeton.	Sanders.
Kemble.	Satterwhite.
Kennedy.	Shaver.
Kenyon.	Shearer.
Kincaid.	Sheats.
King of Hopkins.	Shirley.
King of Throckmorton.	Simmons.
Kirby.	Sinks.
Kirkland.	Smith of Atascosa.
Land.	Smith of El Paso.
Lipscomb.	Smith of Nueces.
Loftin.	Smith of Smith.
Long.	Smyth.
Loy.	Snelgrove.
Masterson.	Stell.
McCombs.	Stevenson.
McGill.	Storey.
Merritt.	Stout.
Minor.	Sutton.
Montgomery.	Swain.
Morse.	Taylor.
Moursund.	Teer.
Murphy.	Tillotson.
Nabors.	Turner.
Nicholson.	Van Zandt.
Olsen.	Veatch.
Parish of Runnels.	Waddell.
Parrish of Travis.	Walker.
Pavlica.	Wallace
Pearce.	of Freestone.
Petsch.	Wallace of Panola.
Poage.	Wallace of Smith.
Pope.	Ware.
Porter.	Wassell.
Powell.	Webb.
Purl.	Wells.
Ramsey.	Whitaker.
Rawlins.	Williams
Reagan.	of Sabine.
Renfro	Williams
of Angelina.	of Travis.
Renfro of Mills.	Williamson.
Rogers of Hays.	Woodall.
Rogers of Shelby.	Woodruff.
Rowell.	Young.

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

### LEAVES OF ABSENCE GRANTED.

The following member was granted leave of absence on account of important business:

Mr. Justice for today, on motion of Mr. Barron.

The following members were granted leaves of absence on account of sickness: